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# M E A S U R E S

TO BE ADOPTED FOR THE

EMPLOYMENT OF THE LABOURING CLASSES

IN IRELAND;

DETAILED IN

AN ADDRESS

TO THE ELECTORS OF GALWAY;

WITH

AN APPENDIX,

CONTAINING ABSTRACTS OF THE REPORTS OF SOME OF  
THE PROVINCIAL ASSEMBLIES IN BELGIUM.

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By A. H. LYNCH, Esq., M.P.

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LONDON:

CHARLES KNIGHT & CO., LUDGATE STREET.

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1839.

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1839

LONDON:

Printed by W. CLOWES and SONS,  
Stamford Street.

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# AN ADDRESS,

&c. &c.

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WHEN the measure of 1838, for relief of the destitute poor in Ireland, had passed the House of Commons, I addressed a letter to you, my constituents, in which I endeavoured to explain the various provisions then proposed for accomplishing its important ends.

I supported the measure through all its stages, and voted in the final majority of 234, under the auspices of which it was carried to the House of Lords.

The law contains some provisions which I opposed, but they will not practically impair the representative principle for which I contended, if the elective right of the rate-payers be exercised purely, amicably, and widely, without any other motive than the general good ; because the right of voting is sufficiently comprehensive (vesting as it does in every rate-payer) to give the public a predominant influence over the working of this great fundamental measure for the improvement of Ireland.

The measure is in other respects much improved by clauses calculated to induce more attention to the means of improving the condition of the working classes ; and as I now purpose to address you on the nature and extent of these means, I will begin with a brief description of this law, as altered in the House of Lords.

Its object, as detailed in my former letter, is to enable local Boards of Guardians to levy a rate on the value and rent of all lands, houses, mines (seven years in work), canals, navigations, rights of fishery, tolls, &c. ; for maintaining in

workhouses such families, or adults not having families, or children not having parents, as they shall find to be in a state of destitution, that is, in actual want of the necessities of life, and without any means of obtaining them; also to authorise the levying of a rate in an electoral division, not exceeding one shilling in the pound on the annual value of rateable property, and by consent of a majority in value of the rate-payers, for defraying the expense of settling poor families in a British colony. The 52nd section of the Statute limits its powers strictly to these purposes; and, therefore, the law does no more, except as to emigration, than render the fixed property of the country liable to a charge which must heretofore have fallen wholly on the property possessed by voluntary contributors to the poor, while it will protect property from loss by the imposition and demoralization which general mendicancy has promoted, and still afford a subsistence to a greater number of persons than could be supported at the same cost by any other mode of relief.

The poor-tax is to be levied by “a poundage rate, made upon an estimate of the net annual value of the several hereditaments rated thereunto; that is to say, of *the rent at which, one year with another, the same might in their actual state be reasonably expected to let from year to year,*” subject to the cost of repairs, to all taxes, and the charge of insurance. The value is thus to be the actual amount of rent which could be obtained from a tenant liable to the taxes and charges of preservation; and it will be necessary to have this value fixed with scrupulous accuracy, in order that the tax may be equitably apportioned between landlord and tenant, as required by the law.

The occupiers of the property charged with the tax are to pay the whole amount in the first instance; and those who have rents to pay are authorised to deduct *one-half* of the

poundage rate, that is, one-half of the shilling, ten-pence, eight-pence, or whatever other amount the rate may be, *from each pound of rent which shall be paid.* Thus, if the annual rent be 60*l.*, and the annual value also 60*l.*, and the annual rate 1*s.* on each pound of rent value, the tenant will deduct sixty times sixpence, or 1*l.* 10*s.*; if the annual rent be 60*l.*, and the annual value were but 30*l.*, the tenant will only have to pay 1*l.* 10*s.*; which he will be entitled to deduct from the landlord, being one-half of the poundage-rate on the rent, the landlord in effect being in that case liable to the whole tax, in consequence of his receiving so much more in rent than the value of the tenement. On the other hand, if the rent paid were to be but 30*l.*, and the annual value were to be 60*l.*, the tenant could only deduct thirty times sixpence, or 15*s.*, and would, in consequence of his considerable interest, be subject to 2*l.* 5*s.* of the 3*l.* levied for the poor. Therefore, it is of extreme importance that a *bonâ fide* valuation of property to be rated shall be made in every Poor Law Union, before any rate shall be levied.

The means provided by the law for levying the rates, and applying them to the support of the poor, are well adapted for the ends proposed. The Crown appoints Commissioners (paid out of its own revenue), to form the Unions, superintend the constituting of Boards of Guardians, frame rules for having the law administered conformably to its enactments, provide workhouses, control the expenditure, audit the accounts half-yearly, and maintain a uniform system of relief throughout the country. The Unions are to be divided into electoral districts, the rate-payers in each electing annually a due proportion of the whole number of Guardians for the Union, and every rate-payer having at least one vote—the votes, however, increasing in proportion to property—but the utmost number in one electoral division to be *six*, in right of an occupancy of the aggregate value of 200*l.*

or in respect of an equal aggregate amount of rent derived in the division ; if both vest in one person, the votes are double.

If a Board of Guardians were to neglect the business of a Union, or not to carry the law into execution—for instance, if a Board should attempt to make the law inoperative by refusing relief to persons in a state of destitution—the Commissioners would order another Board to be constituted ; and if the new Board were also to contravene the orders of the Commissioners, the power of appointing paid officers would then arise, which must tend to insure a due administration of the law by the ordinary local authorities, lest strangers should be employed to relieve the poor and levy the rates.

The valuers and officers of each Union (except the returning officer for elections, the auditor of accounts, and the chaplains) are to be appointed by the Board of Guardians ; but the officers' salaries will be fixed by the Commissioners, and are to be on a very moderate scale, according to the following estimate submitted to the House of Lords :—

|                                                                |            |
|----------------------------------------------------------------|------------|
| 1. Clerk of the Union, from . . .                              | £60 to 80  |
| 2. Master and Matron of the Work-<br>house jointly . . . . .}  | 60 „ 80    |
| 3. Chaplains, do. . . . .                                      | 50 „ 80    |
| 4. Medical Officers and Medicine, do.                          | 100 „ 150  |
| 5. Auditor (from each Union) . . .                             | 20 „ 30    |
| 6. Returning Officer . . . . .                                 | 10 „ 20    |
| 7. Collector . . . . .                                         | 50 „ 70    |
| 8. Schoolmaster and Mistress jointly                           | 50 „ 80    |
| 9. Porter and Assistant, do. . . . .                           | 20 „ 30    |
| 10. Other Assistants in the Workhouse}<br>and Union . . . . .} | 30 „ 30    |
| <hr/>                                                          |            |
| Total, from . . . . .                                          | £450 „ 650 |
| <hr/>                                                          |            |

Wardens are to be appointed by the Guardians, for each parish, townland, or other district in a Union, to “ provide for the conveyance to the workhouse of any such destitute poor persons as the Guardians shall direct ;” to attend meetings of the Guardians when ordered ; and to report to them the state of the poor, and other local particulars required.

The workhouses are to be provided by the Commissioners, and the money for the purpose will be advanced by Government, to be repaid by each Union in twenty annual instalments, commencing in one year after the completion of its workhouse ; but interest is not to be charged until the period for paying the tenth instalment shall have elapsed, and then only upon what remains due.

The master of each workhouse is to keep a registry of the name and usual place of abode of each person admitted. This registry is to be subject to revision by the Board of Guardians, *and the electoral division in which the Board shall determine the previous place of residence to be, will become chargeable with the cost of maintenance ;* but if the Guardians cannot assign the pauper to any one of the electoral divisions, then the cost of maintenance will become a general charge on the Union. This provision gives direct operation to the re-active principle of the law, by fixing the cost of pauperism on the localities to which the pauper shall actually belong ; but still most wisely enables the Guardians to place a charge on the Union, generally, for the wandering poor who have no fixed place of abode ; and it also empowers the Guardians of electoral divisions to agree to a joint charge, after the expiration of three years from the first opening of the workhouse.

The law does not contain any provisions against mendicancy ; but, when workhouse relief shall be afforded in a Union, the good sense of the community must suggest the necessity and policy of withholding alms from mendicants—

because then, unless the house be full, of which the wardens of each district should give notice, all who will resort to begging must be vagrants by their own choice.

Neither does the law make any provision for the support of medical charities. It leaves them to the resources on which they have heretofore depended ; and merely directs the Commissioners to report, after they have formed the Unions, whether the public medical institutions are sufficient ; or, if not, at what cost the requisite extension could be made. The medical superintendents to be appointed by Boards of Guardians are only for the inmates of work-houses.

As a supporter of this great measure, I rejoice that in whatever part of Ireland the preliminary arrangements for carrying it into effect have been commenced, its object, when honestly explained, has been warmly applauded, the quick intelligence of the public mind being at once convinced of its security, and public sympathy having long desired a safe measure to protect the unblamable poor—to terminate a wasteful and demoralising mendicancy—and rescue the children of paupers from privation and corruption ; above all, to make the entire of the fixed property of the country chargeable for these objects, and thus compel its owners to co-operate for improving the condition of the poorer classes, by extending employment in the natural sources of industry, as the only means of lessening pauperism, or preventing its increase, and saving property from a heavy taxation. The Commissioners cannot carry the law into effect with sufficient rapidity to satisfy the people. In many places the introduction of the law has been loudly called for ; as in Dublin, Cork, Waterford, and Galway, where the public feeling appreciates the advantages of this most salutary measure.

The sound policy of this law is, that, in providing

succour for persons deprived of the means of subsistence by want of employment, it does not force the community to provide employment for labour which the ordinary demand does not appear to require, but affords its succour within the walls of asylums, leaving to the community of rate-payers the adoption of measures for averting pauperism from the working classes, and by the prohibition of out-door relief it sustains wages, which the recipients of out-door relief in England have depreciated by underselling their labour, and then compelling the body of rate-payers to supply to them, as paupers, a portion of their means of living, that otherwise they must have acquired in wages.

Many of the zealous friends of a compulsory provision for the poor of Ireland were hostile to the workhouse system, as applied to the condition of the able-bodied classes. But, in requiring public productive employment to be provided, they overlook the stimulant of poor-rates, which, when left to its full action through the levies requisite for workhouses, must enforce productive employment in its natural sources, where the labourers will obtain it, not as paupers, but as hired workmen, paid according to their qualifications; while public employment, if it could be everywhere provided, would, *if productive*, prevent an extension of employment by individuals, and leave crowds of labourers to be worked in gangs like slaves.

If men are out of work and unable to subsist themselves, let them be sustained at the public charge, and that charge will cause employment to be provided by those who are to bear it, if employment can be given; while, on the other hand, the necessity of submitting to work-house rules, and the separation of the males and females of every family, essential to public decency, must tend to make labourers careful of their earnings, and assiduous in their work to obtain a continuous employment.

But, in creating this liability for the rate-payers, the legislature is bound to remove every obstruction within its control which impedes the use of the sources of employment, and correct every defect in legislation by which the means of employment are misapplied. It is not reasonable or righteous to tax the community for the support of labourers out of work, while denying it the means of employing them.

The object of the Poor Law is to protect against destitution ; and to guard against fraud it applies the self-acting and unerring test of the workhouse ; and, while it protects the community at large from the cost and heavy charges of mendicancy, and secures an equal distribution of the burden of support of the poor, and a due application of the funds raised, it will serve as a stimulant to the employment of the people.

There the Poor Law stops. Such are its proper and due limits. It is the duty of the legislature to proceed farther ; to pass measures for raising the condition of the people, and not only to provide against destitution, but to place the Irish peasant in that situation which the soil and the climate of Ireland, and the physical and moral energies of her sons, entitle him to be placed in : finally, to give him the comforts which are enjoyed by his English and Continental neighbours—afford education and employment ; and this desirable object will be effected. The subject of education is foreign to my immediate purpose. I cannot, however, omit this opportunity of calling the attention of the public to the Belgian Reports, set forth in the Appendix, as to the provision in that country for the education of the people, an example well worthy of imitation.

Our present business respects the employment of the people. The want of that employment is one of the greatest and most pressing evils of our unhappy country. And yet the means of employment, as well as the

sources of production, are most abundant. There is no country in the world where labour is more required, and none where it can be more profitably employed. The means so bountifully given by Providence have hitherto been neglected; and what is the consequence? Misery of the people, agrarian disturbance, and insecurity of property. The Statute Book unfolds the sad history of Ireland. In it are contained numerous Acts passed within the last 100 years, penal and coercive in the extreme. From the titles and recitals of these Acts you may discover the causes of their being passed, and you may trace them all to agrarian disturbances, arising from the opposition of the people to the payment of tithes, the want of employment, and the scarcity of cultivated land appropriated to their use. And why is it that the people are not employed, or fairly or adequately remunerated for their labour? The discouragement of her manufactures—the neglect of her agriculture—will easily account for this; and, as a consequence, the unsettled state of the country.

The description given by the Poor Law Commissioners of the labouring poor in Ireland is one of the greatest poverty; inhabiting wretched hovels, scantily covered, and scantily and badly fed. The description is too true. The Poor Law does not touch these cases. The legislature has properly and wisely kept distinct the measures for the relief of destitution from those necessary for alleviating poverty and raising the condition of the peasant. But it was from the commencement admitted that other measures were necessary as adjuncts and auxiliaries to a Poor Law. Mr. Nicholls, in his first Report, states,—

30. “It is, I think, a circumstance favourable to the establishment of Poor Laws, that there is so much land lying waste and uncultivated in Ireland. A large portion of this land appears to be susceptible of profitable cultivation; and the order and secu-

rity which the introduction of Poor Laws would tend to establish would encourage the application of capital to such objects. If capital were to be so applied, considerable tracts would be brought under culture, and thus afford immediate occupation to the now unemployed labourers. I have no experience in the reclamation of bog-land, but the finest crops which I saw in Ireland were on land of this description, and this often very imperfectly drained. Most of the recently-reclaimed bog which I saw in the western counties was reclaimed by the small occupiers, who partially drained and enclosed an acre or two at a time ; but such operations were without system or combination, and for the most part indifferently performed. In this way, however, the reclamation of these wastes will, of necessity, proceed,—constantly adding to the number of small cottier tenants, and consequently swelling the amount of poverty and wretchedness in the country,—unless proprietors and capitalists shall be induced to take the matter in hand, and, by enclosing and effectually draining whole tracts, secure the means of applying improved and economical management on a large scale. It appeared, from what I saw, and from all that I could learn by careful inquiry, that, wherever sea-sand or sea-weed or lime is to be obtained, bog-land may be cultivated to advantage,—presuming always that it is first effectually drained. Now Ireland abounds in limestone beyond any country that I have ever seen, and along the western coast sand and sea-weed are plentiful. The elements of fertility, therefore, are at hand ; all that is wanted is capital and enterprise to call them into action. The enclosing and draining, and the whole process of reclamation, would afford employment to a large number of labourers, who are now, for a great portion of the year, idling about without occupation ; and, when the land so reclaimed becomes subjected to a regular process of cultivation, it will continue to afford them regular employment at daily wages, instead of the often miserably insufficient produce of their own small holdings, to which they now are compelled to cling as their sole means of support.”

Whilst the interest of the landlords to seek means for employing the people outside the poorhouse, rather than support them within, will be increased, it will on the other hand be but just and expedient that all facilities should be afforded

to the landlords, every obstruction to their employment of the people removed, and every legitimate means used to assist them. Emigration is recommended by some: it is by others considered the only remedy. Emigration, to be useful or effective, must be on a very large scale, and must be made at once, and not from year to year. There is at this moment a considerable annual emigration from Ireland, and it is not felt. The Railway Commissioners, in their second Report, state that—

“It is impossible that emigration could be effected on so large a scale, were the people themselves ever so anxious to embrace it, as wholly to remove the pressure of distress arising from the excess of the population over the means now available for their support. It can only be resorted to as a secondary relief, effectual as far as it goes, and therefore deserving of attention and encouragement; but it must always leave behind it so many destitute and unemployed that the cares of the legislature or the burdens of the country can experience no very sensible alleviation from its aid.”

How much more politic it would be to employ public money where it would create wealth and employment at home, than expend public capital in removing labourers to the colonies, and settling them there! The expense recently incurred by Major MacArthur, in sending to his property in New South Wales forty persons from Dorsetshire, amounts to 747*l.* 16*s.* 8*d.*, being 18*l.* 13*s.* 11*d.* for each individual. To remove one million of persons at this rate would cost nearly nineteen millions of money. Sir Wilmot Horton, one of the leading advocates of emigration, estimates the expense of settling emigrants in Canada at 12*l.* for each individual, including support until the growth of their own supplies. At this rate, the removal of a million out of the population of Ireland would absorb 12,000,000*l.*; yet the withdrawal of a million would leave in the country five millions of people more than it contained at the time

when Swift described its miserable and impoverished condition. Many thousands now emigrate annually ; but their departure makes those who remain not sensibly better in their circumstances : on the contrary, whenever the cost of the removal is more than the cost of employment, the remaining population must be injured in proportion to the amount of capital withdrawn.

But suppose Canada to be in the most peaceful state ; let us consider what the effect of such a wholesale emigration must be upon it, or any other colony. The change produced by such an irruption would be terrific ; and one consequence to be dreaded would be famine. Having landed these emigrants upon the colony, how would this million be disposed of, until by their labour the lands were cleared and brought into some sort of cultivation ? They must be supported by supplies from, or procured by, this country. Here, a great and uncertain expense is to be incurred, and which must continue for a considerable time. And whilst this country is unable to grow sufficient for its own consumption, the hands for creating the necessary supply are to be diminished, for the purpose of being supported in the colony by the community that remain at home. Again, when emigration is recommended, its effect upon the parent stock should be considered. The young, the active, and industrious will be inclined to emigrate ; they will leave behind them the old, and impotent, and idle. One of the provisions of the New Zealand Bill introduced last year, but not yet passed into a law, was, that none should emigrate under that bill beyond the age of thirty. In our present financial situation, can this country afford such a diminution of revenue as would be caused by the emigration of one million of persons ? Can our manufacturers at this moment suffer such a diminution in demand as would be thereby occasioned,—little as, it may be supposed, from the description

already given, such million does contribute either to the revenue or the purchase of manufactures, but great as this contribution would necessarily be if the people were regularly and continuously employed, and our natural resources made available?

Has it been ascertained, or is it admitted, that there is an over-population? The committee of 1835 state—

“ Your committee cannot concur in the opinion, that the social disease of Ireland is produced by a real excess of population. It may be doubted whether the country does contain a sufficient quantity of labour to develop its resources; and while the empire is loaded with taxation to defray the charges of its wars, it appears most politic to use its internal resources for improving the condition of the population, by which the revenue of the Exchequer must be increased, rather than encourage emigration, by which the revenue would suffer a diminution; or than leave the labouring classes in their present state, by which poverty, crime, and the charges of Government must be inevitably extended.”

I admit that population is greatly increasing; but the increase is in those counties chiefly where the greatest wastes lie, where there is the least employment and the poorest remuneration is given, and where internal communication and the means of transporting agricultural produce and manure are the most scanty. In Galway and Mayo the increase is at the rate of 25 per cent., while in Wexford and Louth it is only 8 per cent. In the county of Galway there are, of reclaimed land, 945,212 acres; of unreclaimed land, 464,957 acres. In the county of the town of Galway there are, of reclaimed land, 10,501 acres; of unreclaimed land, 12,000 acres. In Mayo there are, of reclaimed land, 871,984 acres; of unreclaimed land, 425,124 acres. In Donegal there are, of reclaimed land, 520,736 acres; of unreclaimed land, 644,371 acres.

Another consideration should also be attended to, and that is, the effect which this wholesale emigration may have

upon the agriculture of Great Britain. Without the assistance of Irish labourers the harvest in this country could not be secured. The English farmers rely, when sowing their corn, upon the supply of harvest labourers that annually come from Ireland; and, if they could not rely on such supply, they would not sow so much corn. This supply is so regular, that some Irish labourers are engaged from one year to another by the same farmer, and are so employed, the English harvest being always earlier than the Irish. In the towns also there are large quantities of Irish,—in London, Liverpool, Manchester, Glasgow, Paisley, and indeed almost every manufacturing town,—and the price of labour is not reduced beyond its proper level. It is therefore essential for the towns to have this constant supply from Ireland; and, if this supply should be stopped by means of emigration, it is unnecessary to state that serious injury would arise. The fear that was once entertained, that the influx of the Irish would throw the English population on their parishes, is at once answered by the fact, that, in the year 1825, 54,913 were relieved in the township of Manchester, and in 1831 the number relieved was only 11,514; during which interval the Irish migrated to England, and to Manchester in particular, in greater numbers than at any previous time.

Whilst I object to wholesale emigration at the public cost, and to its being considered the remedy for Ireland, I think every facility should be afforded to individual emigration; and in some places, where the pressure is very great, it may be advisable, and the more convenient way of disposing of the surplus of any particular spot; and therefore I voted for the emigration clause in the Poor Law Act, with the guards attendant upon it. Emigration, to some extent, may also be necessary to answer the increasing demand for labour in our colonies; and a colonial fund for that purpose may be ob-

tained by the sale of lands; but such limited emigration cannot be sensibly felt, and cannot be the remedy for Ireland.

It may be asked, what are the emigrants to do?—Reclaim the wastes of Canada, or New South Wales, or Van Diemen's Land, or New Zealand? Are there no wastes in Ireland to be reclaimed? No wastes in Galway or Mayo, in Kerry or Cork, in Wicklow or in the metropolitan county of Dublin?

The unimproved condition of Irish estates has a most extraordinary appearance, in close proximity to markets requiring increased supplies of food, and yet as open to those of Ireland as they are to English produce. Ireland has never yet supplied England in a year with much more than half a million quarters of wheat and flour; while the deficiency of English home produce has frequently required an importation of nearly six times that quantity, thereby rendering recourse to other countries necessary for supplying the wants of English consumers, which, under proper management, Ireland is to a great extent, if not wholly, capable of supplying, with greater advantage to England.

It is commonly said in England that Ireland is more fitted for being a cattle country than a producer of corn; but her lands yield as fine wheat as any soils in England: indeed, wherever the Irish lands are well drained, corn produce is abundant and excellent. It is the legal circumstances of property, and the indolent habits of the gentry and farmers, which render Ireland so much a cattle country, because pasture is best suited for short and uncertain tenures, and requires less attention: yet Ireland is less of a cattle country than she would be if the soil were better cultivated, and the improvable wastes rendered arable; and it is only by becoming more of a cattle country that her supplies of good corn can be largely increased.

The English agricultural markets invite augmented supplies of every kind—corn, cattle, and butter. At present, 700,000*l.* a-year is paid for foreign butter ; and if Ireland were to supply this quantity, the additional cattle necessary for the purpose would, it is computed, afford means of fertilising annually thousands of acres of land.

The relative condition of England and Ireland presents an anomaly in the economy of nations. England's markets for agricultural produce are insufficiently supplied, and her marts for the sale of manufactures are frequently glutted by production exceeding the demand. Ireland has natural resources to render her capable of supplying the produce which England wants—an extensive arable territory not half cultivated, and millions of acres lying waste, which may be rendered fertile lands, while labour exists to redundancy as compared with the employment it obtains ; in consequence of which the country abounds with misery, turbulence, and crime. Let Ireland be enabled to send into England that quantity of produce which must annually be imported, and in return England will have a corresponding increase in the demand for her manufactures.

The importance of reclaiming the waste lands of Ireland has attracted the attention of several Administrations ; Parliamentary committees have sat—commissioners have been appointed to obtain the necessary information : they all concur in recommending the employment of the poor by means of bringing into cultivation the unreclaimed but reclaimable wastes of Ireland.

To remove any doubt that may exist, as to the perfect practicability of reclaiming the bog and waste lands of Ireland, with a perfect security as to a return in money and permanent amelioration, it is only necessary to refer to the reports of the commissioners appointed in 1809 to inquire into and examine the nature and extent of the bogs in Ire-

land, and the practicability of draining them. These reports are full of valuable facts and information. Nothing can be more decisive and satisfactory than the opinions of the commissioners—able, skilful, and experienced men—in favour of reclamation, founded as they are upon the minutest examination and the reports of the different engineers. It appears that, of the twenty millions of acres of land in Ireland, there are five millions of acres of waste lands. It appears that the extent of bog-lands exceeds 2,830,000 acres, of which 1,576,000 are flat bogs, convertible to the general purposes of agriculture; and the remaining 1,255,000 are mountain bogs, convertible at a very small expense to pasturage and feeding. Of the 1,576,000, 1,013,000 were specially reported on by the engineers. The reports state the situation of the bogs to be highly favourable, the surface of all being level free, and most of them not less than 300 feet above the sea; besides being intersected by streams, the channels of which are calculated to be outlets for the water taken off from the interior of the bogs. Mr. Nimmo has calculated that 1-10th of the mountain bogs may be irrigated and reclaimed, by a judicious distribution of the mountain waters, at an expense not exceeding 1*l.* per acre. With respect to the expense, and probable return for the money expended upon the flat bogs, there is some difference of opinion; but the opinions of all are favourable beyond what may be well imagined. The difference of opinion refers only to the extent of advantage and profit. In the fourth report there is the following passage, which may be considered the summary of the opinions of the commissioners:—

“ Various as are the modes of improvement, and the estimate proposed by our different engineers, we must consider that the fair average of their opinions represent, that, by an expenditure of from 1*l.* to 20*s.* per acre, the reclamation would secure to the improver a permanent rent of from 10 to 15 per cent. on the expen-

diture. Some of them, on whose judgment we place great reliance, are even of opinion that the whole of the capital employed would be returned by the produce of the first crops which effected the improvement. Supposing, then, the capital employed to be finally lost, still the rent obtained would abundantly compensate for its application; but on the other supposition of the capital itself being repaid, it would follow that the rent would finally become the reward merely of the skill and labour of the improver.

“Nor is it on mere theoretical speculation that these premises are rested. Our engineers uniformly adduce the example of hundreds of acres actually improved within their respective districts, to justify their estimates.

“It may, perhaps, then be inquired, why all these bogs have not long since been improved? Or it may be asserted, that their present desolation, in the midst of so much apparent inducement, is in itself a sufficient proof that such premises must be practically fallacious.

We are convinced, however, that this circumstance may be otherwise accounted for, and that it is not to physical obstacles that the present situation of these wastes is principally to be ascribed.

The arable lands around the extremities of each bog belong, pretty generally, to a great variety of proprietors; the mearings of whose estates, it is generally admitted, must be contained within the area of the interior bog, but the precise situation of which is seldom ascertained. The external boundary of the bog forms a turf bank; the interior is a quagmire, in its present state inapplicable to any other purpose than the affording a very scanty summer pasture to a few wandering cattle, who are turned in to seek for it at the risk often of being lost. The cultivators who occupy the contiguous farms have usually annexed, to the enjoyment of the lands, a right of turning in their cattle on the part of the bog adjoining to their respective farms; and when these are tempted by hunger to wander farther, reciprocal convenience forbids it being considered as a trespass. These farmers have usually terms of lives or years in their holdings, too short to tempt them, even if possessed of capital and skill, to enter on the permanent improvement of the bog, while they are yet abundantly sufficient to render such an operation impracticable for the landlord. The landlord has demised to the tenant a vague possession

of what he considered of little or no value ; the shortness of the tenure obliges the tenant to leave his holding in its unprofitable state ; but were the landlord to propose to improve it, the tenant having a present right to prevent him, that right would become valuable just in proportion to the intended exertions of the landlord, and would inevitably be set up by the tenant.

Mr. Edgeworth, in his Report, adduces a very practical instance of the operation of these obstacles. He mentions, that he should himself have made an attempt to improve bog, could he have obtained in his neighbourhood a large tract of the bogs which he had surveyed near the Inny, in district No. 7 ; but the uncertainty of their respective properties, he says, deters the owners of these bogs from entering into engagements for their improvement. The reasonable dread of litigation prevents proprietors from seeking, through their own exertions, those advantages which they hope to derive from the adventurous spirit of others : it cannot be expected that this obstacle to the improvement of the Irish bogs can be removed by anything short of legislative interposition. It is within the knowledge of a member of this board, that Mr. Edgeworth offered to one of those proprietors a rent hitherto unheard of for bog land, proposing only a sixty years' lease for his own interest ; and the proprietor professed himself perfectly satisfied, on the single but impossible condition of Mr. Edgeworth undertaking to indemnify him against all the law-suits, which it was well foreseen would be the inevitable consequence.

“ Having thus pointed out what we conceive distinctly to be the main obstacle to the improvement of the bogs of Ireland, namely, the uncertainty of the boundaries of estates when they pass through extensive bogs, and the right usually vested in the occupiers of the adjoining farms, we feel it to be rather the province of the legislature than of our board to devise the provisions which can alone remove this impediment.

“ To facilitate the speeding of Commissions of Perambulation, which might ascertain the boundaries of contiguous estates, would probably be a measure of no difficult accomplishment ; but it requires more consideration to ascertain on what terms the landlord could be permitted to resume from his tenant a vested right, however unprofitable its possession.

“Should these obstacles be removed, it would further become necessary to enable the proprietors of estates under settlement to make long leases of bog lands for the purpose of improvement: the remainder man would be benefited and not injured by such an interference: his property would ultimately receive a prodigious increase of value, and during the term of years it would at least produce to him a reasonable rent: in its present state it produces almost nothing. The Irish legislature has already in some degree recognized the principle we recommend, for while it has carefully disabled bishops and ecclesiastical persons from demising the estates of their benefices generally for a longer term than twenty-one years, it has, by the statute of 12 Geo. I. cap. 12, specifically excepted bogs and extensive marshes, and enabled them to demise such for terms of sixty years.

“It is also obvious, that, in the event of future enterprises, either by individuals or by associated companies, for the drainage and improvement of large tracts of bog, it will be expedient that the legislature should secure, by enactment, a free passage, under proper regulations, through the adjacent estate, so far as may be requisite for carrying on and completing the main lines of drainage and communication; as otherwise the interested opposition of a neighbouring proprietor might impede and render of no effect the efforts of the improver. Each case, however, will require its peculiar remedy, and we therefore can only advert thus generally to the subject.”

There are besides vast quantities of land on the sides and banks of rivers and lakes that might by proper drainage and reclamation be brought into cultivation, to the reclamation of which the same difficulties and obstacles occur, and the same wants require to be supplied. Mr. Griffith, in his evidence before the Committee of 1835, upon being asked as to these points, states, in answer to the following questions—

2787. “Are there not vast quantities of land at this moment on sides and banks of rivers that might, by proper drainage and reclamation, be brought into cultivation?—There are; and I conceive that there are no lands in Ireland which can be made avail-

able at so cheap a rate as those level tracts which lie on the banks of rivers. They are naturally of a very superior quality, and in many cases they are totally lost from want of the removal of impediments in the course of the river, such as the weirs or dams connected with small corn-mills, which, in proportion to their value, do more mischief than any other kind of works in Ireland. Within the last few years, large mills for the purpose of grinding oats as well as wheat, have been erected in many places, and the small corn-mills have thereby become of little importance, and for the most part are in a dilapidated state; consequently, their removal would not be felt by the farmer. I know instances where several hundred acres of valuable meadow land are rendered almost a waste in consequence of a corn-mill weir, which mill is not worth 20*l.* a year; eel weirs also present impediments that should be removed. In the county of Kildare, where Mr. More O'Ferrall attempted to introduce his Act, the banks of the rivers Blackwater and the Boyne present a very large extent of valuable land, which is now flooded by impediments in the courses of those rivers, and I believe partly from the obstruction occasioned by corn-mill weirs.

2788. "How do you propose to get rid of these obstructions, the mills and eel weirs?—I would have them valued by a jury. Suppose a number of gentlemen in the country wish to improve their lands by draining, whether it be bog or flat land on the banks of rivers: if two-thirds of the proprietors, in point of extent and value, agree to improve the lands by means of lowering the course of the bed of a river, I would give the Board of Public Works, if the proposed drainage was approved of by them, the power of summoning a jury to ascertain the injury to be sustained by individuals through the means of the proposed drainage, whether it be for land cut through, or for mills, or eel weirs, if any such required to be removed; and also to ascertain the proportion of the expense supposed to be paid by each proprietor of the land to be improved.

2789. "Does it frequently occur that a landed proprietor is desirous of improving his property, but that he cannot do so without the assistance of his neighbours?—It very frequently occurs, not only in respect of lands similar to those I have just mentioned, but also in bogs, where it frequently happens that a number of proprietors who would wish to improve, cannot do so unless

by passing through the estate of another proprietor, who will not join in the drainage ; where that is the case, I would also give the Board of Public Works the power of making drains through the bog of the person who objects, and charging the estate with a portion of the expenditure ; provided two-thirds of the proprietors of the bog, in point of extent and value, agree to improve the bog, and apply to the commissioners for that purpose."

If such be, then, the advantages likely to arise from the reclamation of these lands, it may be asked, how does it happen that capital, English capital, abundant as it is, has not been applied to these purposes ? My answer is, the unsatisfactory state of the country. Individual capital could not be expected to be applied in drawing forth the capabilities of Ireland, with a large portion of its population in a state of destitution, and no legal provision for that destitution. The first, the essential step has been taken, without which nothing towards amelioration or improvement could be done. Ireland has a poor law. The employment of her people at remunerating wages is the next consideration.

In addition to the great facilities already mentioned for the reclamation of these waste lands, I should state that, in most cases, there is immediately at hand either limestone, or coral, or sea-sand, or sea-weed, and scarcely in any instance is the necessary manure two miles distant. It has been well remarked, as a most extraordinary invitation of Providence, that, in the middle of these bogs, and not unfrequently in the granite country, seams of limestone are found—and yet such opportunities have hitherto been neglected. The unassisted efforts of the poor man, without drainage, carrying manure frequently on his back, are wonderful ; calling upon, as it were, and pointing out to the landed proprietors to come forward and follow his example. The effects of these *industrious* efforts are to be seen on the edges and banks of bogs and mountains, and of rivers and lakes.

Mr. Griffiths was one of the engineers and commissioners of 1809. The only alteration caused, in his opinion, in

consequence of subsequent experience, and his experiment at King Williamstown, is, that he thinks more clay necessary than he thought originally. The account he gives of these experiments is most interesting. After dividing the bogs at King Williamstown into three classes, he says, the costs of the reclamation of the flat bog No. 1. per statute acre is 9*l.* 9*s.* 10*d.*, which includes drainage, claying, and limeing; of subsequent manure, 2*l.* 15*s.* 6*d.*; and of cultivation for four years, 13*l.* 7*s.*:—in all, 25*l.* 12*s.* 4*d.* When the land is perfectly reclaimed, the actual return of the four years' produce is 24*l.* 3*s.* 5*d.*, leaving 1*l.* 9*s.* 1*d.*, the portion of the outlay not returned in the four years; and for this outlay the land is worth at least 10*s.* per acre, which was before not worth 2*s.* In respect of the second class, there is an actual profit left, after four years' cultivation, of 1*l.* 17*s.* 7*d.* after the return of all the capital expended, and the land is worth 12*s.* 6*d.* per acre. And in respect of class No. 3 (mountain bog), the expense he calculates to be 3*l.* 13*s.* to 4*l.* 11*s.*; and, after this outlay, the land is worth from 10*s.* to 12*s.* per acre. In the Appendix No. 6., I set out fully this interesting account.

Mr. Featherstone states the expense of reclaiming the red bog to be 13*l.* per acre, which, when reclaimed, he values at 1*l.* per acre. The reclamation of the black bog, he says, requires only 6*l.* per acre, and that land he values at 2*l.* per acre; and in some districts where meadow land is scarce at 3*l.* per acre. The expense of reclaiming the mountain bog he states to be very inconsiderable, as it consists merely of draining.

The great expense of the reclamation consists in the claying and limeing, or other manuring: the cost of drainage is comparatively trifling, never exceeding from 1*l.* to 2*l.* per acre. I wish to draw public attention to these facts, as claying, and manuring, and cultivation must be left to individual care and interference. It is the drainage alone that requires

legislative interference, so as to secure facilities and co-operation.

The reclaimable wastes of Ireland, including bog lands, marsh lands, and lands flooded or covered with water the greater part, if not the whole year, amount to five millions of acres, as already stated, which, if properly drained and brought into cultivation, would yield at least a rental of three or four millions. The rental of Ireland at this moment is ten millions only, which, there can be no doubt, might be doubled, if the lands were properly cultivated. It is stated by the Poor Law Commissioners that the produce of Ireland is not more than one-fourth of that of England. How is this? The soil of England is less fertile than that of Ireland, but is assisted more abundantly with manure and a proper rotation of crops; while the more fertile soil of Ireland is less cultivated, because there are not facilities for transportation of agricultural produce and manure; and no attention is paid to the system of cropping: the fatal consequence of which is, that her people are not employed—five millions of acres of unreclaimed land not producing as many shillings in the year, and upon which not a single human being is occupied. What an increased demand for English manufactures would such an increase to the rental of Ireland create! Ireland is, and must continue for years, an agricultural country. Mr. Weale, in his evidence before the committee of 1830, states:

“ I can hardly conceive a limit to the new market for British manufactures and for native labour by an improved system of management and cultivation of landed property in Ireland. There is such an immense mass of people in Ireland who are unclothed, unfed, and unhoused, that I doubt whether even the new markets we have sought for in South America can be considered half as valuable as that which lies at our door.”

It is unnecessary to state, that the home trade is always more profitable than the foreign. Would it not be wise to depend as little as possible upon foreign supplies; and

that, as England is not able to grow produce sufficient for her support, the deficiency should be obtained from Ireland, as far as she is able to supply it? If the Corn Laws are to be abolished, and there should be a considerable depreciation in rents,—(which is so much dreaded,)—the landed interest in England must look for relief to an improved system of agriculture (for England is behind many of her neighbours in that science) and the remission of those taxes which press heavily upon the agriculturist, and which may be done without diminishing the revenue, by improving the Irish revenue,—the necessary consequence of the employment of the people, who will require greater comforts, and purchase a greater quantity of taxed articles.

The landed interest in Ireland must also look to an improved system of agriculture (what a wide field to work upon!) and a more extended cultivated soil. It may be asked how could corn be grown as cheaply in Ireland as on the continent, and the landlords continue to receive a remunerating rent? The soil is more fertile, and the climate superior to many countries on the continent, the markets are nearer, and the cost of transport less; and while more corn could be cultivated, more beef and mutton, butter and pork, could be produced; and, by the augmentation of employment, the demand for English manufactures would be increased, by the reactive influence of which, and the increased consumption which would follow, the demand for Irish produce would also be increased.

But should the Corn Laws not be repealed, in consequence of the dread of the depreciation, or of dependence on foreign supplies, surely it is the duty of the legislature (by giving facilities) to cause the wastes in every part of the kingdom, capable of profitable reclamation, to be cultivated. The waste and bog lands of Ireland yield the finest crops of potatoes, oats, and turnips, rape and vetches, and become excellent pasture and meadow;

and by cultivating these lands, the Irish landlords will be induced, and can afford, to turn large and extensive tracts of the finest land in the world into arable land, under a proper system of agriculture, capable of growing corn equal to that grown in England or any part of the continent. Another advantage would also be derived : the sudden demand for gold attendant upon the present system, when importation to any extent becomes necessary, would be diminished. In either event, therefore, the waste and bog lands of Ireland should be reclaimed.

120 I give in the Appendix, No. 2, a paper taken from among the tables appended to the Second Report of the Irish Railway Inquiry Commissioners, in which Mr. Stanley proves, by contrasting the consumption of exciseable commodities in Ireland and Scotland, (a contrast affording the very strongest test of capability,) that if the condition of the Irish population were raised to an equality with that of the Scotch, Ireland would be *capable* of paying, in excise alone, an additional revenue of *six millions* annually, whereby the minister would be enabled to abolish the malt-tax and other taxes which press upon the agricultural interest.

In the present state of agriculture and taxation in this country, a protecting fixed duty may, perhaps, be considered as a fair adjustment of this most important question ; but even in that case the Irish demand must always present advantages to the manufacturer over the foreign market. I therefore invite British manufacturers to turn their attention westward, and direct their influence in support of measures which would there give them a market to countervail much of their losses by the rivalry which is spreading eastward,—measures through which abundant supplies of food would be provided in aid of British produce. The measures I refer to are not of a political nature : their sole object is to enable the abundant labour of Ireland to be applied to territory requiring little more than labour to fertilize it : most

of them have been before the country since 1836, when I presented them to the House of Commons, in pursuance of resolutions adopted by the committee of 1835, and have been adopted and recommended by the Poor Law Commissioners. Their design, as indicated by the following titles, is merely the removal of obstacles which now impede the development of Ireland's great natural resources :—

1. A Bill to promote the Reclamation and Improvement of uncultivated Land in Ireland, and to render navigable Rivers and Lakes in Ireland.
2. A Bill for giving Powers of leasing and exchanging of Lands in Ireland in certain cases.
3. A Bill for giving increased Powers of Leasing to the Provost and Fellows of Trinity College, Dublin, and defining the Terms upon which Persons now holding Leases of the College Lands shall be entitled to renew such Leases.
4. A Bill to enable Tenants for Life of Estates in Ireland to make Improvements in their Estates, and to charge the Inheritance with a portion of the Moneys expended in such Improvements.
5. A Bill for facilitating the Conversion of Leases for Lives renewable for ever into Estates in fee-simple.
6. A Bill for giving a summary Remedy for Partition, and ascertaining the Boundaries of Lands in Ireland.
7. A Bill for the better and more convenient Employment of Labourers in Ireland.
8. A Bill to enable the Bank of Ireland to lend Money on Mortgage.
9. A Bill to amend the 1 & 2 Wm. IV. c. 33, and to give greater powers to and increase the efficiency of the Board of Works in Ireland.

Mr. Griffith, in his evidence, states, that if lands were properly cultivated in Ireland, every 100 acres would occupy 10 agricultural labourers. But take it at one-half,

allowing for the introduction into Ireland of the machinery used in England, and adopting, in fact, the number generally employed in England, viz. four to every 100 acres, and you will, by reclaiming the waste lands of Ireland, afford employment—constant, continuous employment—for 100,000 labourers at least. The whole number of agricultural labourers, not occupiers of land, and out of employment during a portion of the year, does not exceed 224,000: so that by means of this reclamation you will be to a very great extent relieving the workhouses of the able-bodied labourers; and these wastes are so distributed, that there is no district where this advantage may not be realized.

#### FIRST MEASURE.

The difficulties in the way of reclamation are—

- 1st. The want of co-operation.
- 2nd. The inability of tenants for life, and incapacitated persons, to act.
- 3rd. The want of capital.
- 4th. The confusion of boundaries of estates.
- 5th. The want of confidence in undertakers.
- 6th. The want of power of entering upon adjacent lands.
- 7th. In case of leases, the want of mutual immediate advantages to be derived both by landlord and tenant.

The measure I propose is merely permissive. Compulsion in matters of this kind, except where actually necessary, should not be adopted; and in this case, with the inducements held out, and with the reactive influence of the Poor Law, I do not think it necessary, at least for the present. The landlords of Ireland never had before a Poor Law, impelling them to action and improvement, and to look after their estates and waste lands. But if, after a few years, these wastes are not reclaimed, then I think the legislature would be justified in passing a compulsory law. The owners of these lands cannot be allowed to say “We shall not

improve these lands, neither shall we avail ourselves of the legislative facilities that are afforded us; our lands shall lie idle and unproductive." Such a course would be a breach of the social compact; and, as it would be materially detrimental to their own interests, we cannot suppose it will be pursued.

By an Irish Statute of the 11 & 12 Geo. III., cap. 21, power is given to bishops and tenants for life, under certain restrictions, to lease for sixty-one years any portion of bog lands not exceeding fifty acres. A previous Irish Statute, 5 Geo. II., cap. 9, enacted that "where a drain shall be necessary to carry off the water from such bog, moss, or lough, the said commissioners, or the major part of them, shall and may lay out and ascertain the same, and the length, breadth, and depth of such drain; and likewise order and appoint what part or proportion thereof shall be made or done by the said several proprietors, with regard to the benefit that each of them may receive thereby;"—but it also provided "that no one proprietor shall be liable to pay more than one shilling and sixpence for each perch, containing twenty-one feet in length, of such drain, or be compelled to pay more than *ten pounds in the whole* towards making such drain as aforesaid in any one year." This proviso rendered the act nugatory. The statute was defective in other respects; and I have not been able to discover whether any drainage was effected under it.

The Statutes of Geo. I. and Geo. II., and the 29 Geo. III. were only applicable to bog or waste land, so far as they were connected with navigation.

By the Statute of 1831, 1 & 2 Wm. IV., cap. 57, generally called Mr. More O'Ferrall's Act, a power is given to undertakers to contract for improving lands upon receiving a profit, and this profit is in no case to exceed 15*l.* per cent. on the outlay. The undertakers, upon receiving the assent of two-third parts of the proprietors or lessees, are to apply

to the Lord Lieutenant for a commission. The second part of this Act relates to individual proprietors or lessees, who, not exceeding six in number, upon receiving the assent of two-thirds of the proprietors or lessees, are at liberty to apply for a commission. The third part empowers grand juries to execute works of drainage to the amount of 200*l*.

It may be asked why so useful an Act has not been brought into operation. I can only account for it in the manner following:—

1st. As respects undertakers. The unwillingness of capitalists to advance money at all on any Irish undertaking; and, without having any local object in view, their unwillingness to advance money on that which is necessarily only a temporary employment of their capital, and the repayment of which must necessarily be in parts and by degrees, and the mode of repayment itself not being satisfactory, have hitherto restrained capitalists from coming forward and taking advantage of the act. The mode of repayment is, that if the landowners do not within a certain time pay the gross sum assessed (and there is no provision to compel the landowners to pay), the undertakers are entitled to a redeemable annuity charged upon the lands drained and benefited, which, unless afterwards brought into a cultivated state (which does not necessarily follow), may not be a sufficient security; besides, these annuities may be small and numerous. The machinery of the act is considered complicated, and there are no provisions for ascertaining boundaries, without which it would not be safe to raise any annuity off the lands.

2dly. As respects landowners. They have not confidence in undertakers, and under the act they have no control over or in respect of the persons to be employed in the works or the expenditure: the only check given to them is the appointment of a valuer of the lands before and after the works are effected. And they do not consider that sufficient protection is given by the Act, that proper and skilful

persons will be employed in the works ; and that the necessary subscribed capital will be forthcoming, inasmuch as it is said that the Lord Lieutenant has not the power, before issuing the commission, to inquire and ascertain that the subscribers are solvent and able to pay the amount of their shares. I cannot, however, agree to such a construction of the Act. But I admit there is not sufficient security provided for the maintenance and keeping up of the works.

The landowners themselves are not capitalists, and if they were, they are not willing to take so heavy a charge upon themselves as to become undertakers under the second part of the act.

Moreover, the landlords will not come forward where the lands are in lease, as no immediate benefit would be derived by them ; and the Lessees are not anxious, as their tenure in the lease may not be such as to induce them to submit to a tax, the benefit of which might not be reaped during their term.

This Act does not extend to bog-lands, and there is no provision for the improvement of navigation. Mr. O'Ferrall, to whom the country is much indebted for his exertions on behalf of the reclamation of our wastes, when examined before the Committee of 1835, in answer to the following questions, says,—

3348. “ Would you see any objection to giving the Board of Public Works the power vested by this Act in the undertakers ?— From what I have seen, I would be cautious in giving powers to the Board of Works, unless very strictly defined. I think it would be desirable that the Board of Works should be entrusted with giving an opinion upon works which might be beneficially undertaken ; and that if the proprietors consented to carry them into effect, that then the powers of the Act should be transferred to the Board of Works, with the consent of the proprietors, but not otherwise.

3355. “ They are obliged to give a great deal of collateral security, which perhaps throws impediments in the way of their borrowing. Now, supposing the landed proprietors were able to give

the security of the lands themselves alone, do you not think that a considerable facility would be afforded to the bringing the Act into operation?—I think the suggestion would be much preferable to the clause in the Act. The bill was so opposed both in the House of Commons and in the House of Lords, that I was obliged to adopt many provisions which I disapproved of at the time, and which experience has since convinced me are some of the greatest impediments to the successful operation of the Act.”

One of the clauses alluded to by Mr. O’Ferrall is the ninety-third, whereby it is enacted,

“That nothing in this Act contained shall extend or be construed to enable any company of undertakers or trustees constituted under this Act to take or appropriate any mill or mill site, or in any manner to alter or divert any river, stream, or water-course, so as to impede or diminish the supply of water to any mill erected before the passing of this Act, without the consent in writing, first had and obtained, of the owner or owners or occupiers of such mill or mill site.”

The 94th clause was no doubt intended to cut down the operation of the 93rd; but thereby great injustice may be done to the owners of Irish property; and it is to be feared that it affords ample materials for litigation.

It would, indeed, be most unjust in any way to interfere injuriously with the necessary supply of water to any mill or mill site without making due and ample compensation; but on the other hand it is unjust to say that no operation under this bill can be effected without purchasing at his own price the consent of the owner of any mill near to which the water to be regulated may run. It would not only render every undertaking so expensive as to frustrate the object of the act, but it opens a door to fraud of the greatest extent, as there is no measure of compensation or purchase to be adopted, the giving or withholding the consent being entirely arbitrary. The middle course is the proper one to be followed: to compensate the owners of mills for any the slightest injury to their property—that compensation to be settled by arbitration, or, if necessary, by an appeal to the Board

of Works, or to a jury. The best protection which can be given to the owners of mill property is to secure the employment of able and skilful men to carry the works into effect. The owners of mills do not repose any confidence in undertakers, and they also consider that sufficient protection is not given by the act that the necessary capital for the undertaking will be forthcoming although fully subscribed. Great jealousy is at the same time felt by landowners in consequence of the power of assenting given to lessees, even lessees for twenty-one years, and tenants from year to year; whilst a heavy charge may be imposed by means of such assent on the estates of the landowners; and there is no provision for obtaining assents in the case of minors and other incapacitated proprietors.

It is clear that this Act must be amended, if intended to be carried into operation by capitalists or proprietors.

The legislature of England having in the reign of Elizabeth passed the great Poor Law, in the same session passed an Act 43 Eliz. c. 11., the title of which is “An Act for the recovering of many hundred thousand acres of marshes and other grounds, subject commonly to surrounding, within the Isle of Ely, and the counties of Cambridge, Huntingdon, Northampton, Lincoln, Norfolk, Suffolk, Sussex, Essex, Kent, and the County Palatine of Durham:” and the recital contained in that Act is so applicable to the present case, that I cannot refrain from transcribing it.

“Whereas it is apparent to such as have travelled in the execution of Commissions of Sewers in the isle and counties aforesaid, that the wastes, commons, marshes, and fenny grounds, there subject to surrounding, may be recovered by skilful and able undertakers, whereby great and inestimable benefit would arise to her Majesty, her heirs and successors, disburdening her Highness of many chargeable banks and works of sewers within those surrounded grounds, as the increase of many able subjects, by habitations being there erected, and in like sort profitable unto many

her Highnesses' subjects, both bodies politick as corporate, who have estate of inheritance and other interest within the same ; and for that the draining and making dry and profitable of those surrounded grounds is chiefly hindered, for that the greater part of them are wastes and commons subject yearly to surrounding, wherein divers have common by prescription, by reason of their resiancy and inhabitancy, which kind of commons nor their interest therein can by the common law be extinguished or granted to bind others which should inhabit these afterwards, And in that also it appeareth that the commoners, in respect of their poverty, are unable to pay the great charges to such as should undertake the recovery of the same," &c. &c.

The title and recital of another act passed at that time (43 Eliz. c. 13) show the then lawless state of England, for which these measures were designed as remedies. The title is, "*An Act for the more peaceable Government of the Parts of Cumberland, Northumberland, Westmorland, and the Bishoprick of Duresme.*" The recital is very important:—

"Forasmuch as now of late years very many of her Majesty's subjects, dwelling and inhabiting within the counties of Cumberland, Northumberland, Westmorland, and the bishoprick of Duresme, have been taken, some forth of their own houses, and some in travelling by the highway or otherwise, and carried out of the same counties, or to some other places within some of the said several counties, as prisoners, and kept barbarously and cruelly until they have been redeemed by great ransoms; and where now of late time there have been many incursions, raids, robberies, and burning and spoiling of towns, villages, and houses within the said counties; that divers and sundry of her Majesty's loving subjects within the said counties, and the inhabitants of divers towns there, have been forced to pay a certain rate of money, corn, cattle, or other consideration, commonly there called by the name of black-mail, unto divers and sundry inhabiting upon or near the borders, being men of name, and friended and allied with divers in those parts who are commonly known to be great robbers and spoil-takers within the said counties, to the end thereby to be by them freed, protected, and kept in safety from the danger of such as do usually rob and steal in those parts: by

reason whereof many of the inhabitants thereabouts, being her Majesty's tenants or other good subjects, are much impoverished, and theft and robbery much increased, and the maintainers thereof greatly encouraged, and the service of those borders and frontiers much weakened and decayed, and divers towns thereabouts much dispeopled and laid waste, and her Majesty's own revenue greatly diminished : which heinous and outrageous misdemeanors there cannot so well by the ordinary officers of her Majesty in those parts be speedily prevented or suppressed without further provisions of law," &c. &c.

It will be right to bear in mind, that the only process proposed to be effected by the proposed bill is drainage ; and I have inserted in the Appendix, No. 3, from Mr. J. Butler Bryan's work, an account of the cost of drainages, abridged from the Irish Bog Reports commenced in 1809.

Co-operation is the first requisite ; and for that purpose it is proposed that proprietors of two-thirds of the lands to be improved should apply to the Board of Works for a commission. Such proprietors are described in the interpretation clause to be "all bodies politic, corporate, and collegiate ; and also all bishops, parsons, and other ecclesiastical persons, as to lands held by them in those respective characters, and any number of persons associated together as a company or partnership." "And also tenants in fee-simple, tenants in tail, tenants for life, tenants in dower, tenants by the courtesy, and tenants for years determinable on a life or lives ; and tenants for terms of years, whereof not less than sixty years shall be unexpired ; but not any lessee, save a lessee for lives or years renewable for ever, or for terms of years whereof less than sixty years shall be unexpired."

I propose giving the power to the proprietors to call the act into operation, as a charge will be placed upon the corpus of the estate. In like manner it is required that two-thirds of the lessees having a life-interest, or an interest

of ten years and upwards—the original tenure not being less than twenty-one years—in extent of the lands to be improved *on each estate*, should assent. Provision is made by a short, simple, cheap, and expeditious proceeding before the assistant barrister, for ascertaining that the assents have been given. Power is given to trustees and incapacitated persons to assent, with the approbation of the Court of Chancery, to be obtained in a summary way.

Upon this application the Board of Works will appoint a commissioner or commissioners (who should be skilful engineers, of high character and respectability) for carrying the proposed work into effect. Great advantage will be derived from the interference of the Board of Works, a competent and skilful tribunal, in no way interested in any undertaking, and above the influence of the parties, whereby the appointment of proper, fit, experienced and skilful persons for carrying on the works is secured; and during the progress of the undertaking the Board of Works will have a controlling and directing power. In this manner the confidence of parties will be established, and perfect security given to them that the works will be properly carried into effect, and with all possible saving of money.

The Board of Works is next to inquire into the feasibility and expediency of the proposed works, and, if approving of the works proposed, to have them executed.

A survey is then to be made, the commissioners making use of such former survey as to them may seem proper, and particularly the Ordnance survey. The actual value of the lands proposed to be improved is then to be ascertained by the commissioners.

In cases of limited extent, where it is desirable to diminish the expense as much as possible, a power is given to the Board of Works to appoint a certain number of the proprietors to act as commissioners and carry the works into

effect, the Board continuing to have the same power of direction and control as is given by the bill where engineers are appointed to act as commissioners.

In many cases, in reference to low marsh, and flooded tracts extending along the sides of rivers and lakes, the operation adopted for the drainage of lands, will, with additional works, have the effect of making the rivers or lakes navigable; and as each navigation will be a general and public benefit, and as additional works will be required, it is only just that the public, who are to have that benefit, should contribute something towards that expense, as is done at this moment as to roads. Carriage by water is of as much consequence to the public at large as carriage by land, and advantage ought in every such case to be taken to combine the improvement of the navigation with the drainage of the lands. Power is therefore given to the commissioners to determine the proportion which counties or parts of counties, baronies or parts of baronies, as in the Shannon Bill, ought to contribute with the proprietors, in respect of the improved navigation, *but only of the navigation.*

The schedules, and maps, and sections of the proposed improvements, are then to be published, and due notice given that the commissioners will hear all objections from the parties interested, including, in cases of navigation, the grand juries of counties to be taxed, and also including owners of mills and mill-sites. On the day appointed, the commissioners are to meet, and finally settle the proposed plans, schedules, and sections. In case of difference, there is an appeal given to the Board of Public Works to each party interested.

All necessary powers are then given to the commissioners to drain the lands and effect the proposed works, and, where necessary, to enter and go upon the adjoining lands: also to take such lands, and mill-sites, and weirs as may be

necessary, subject to the provisions therein contained. Due notice to be given to all parties whose lands, or mills, or weirs are to be taken, or whose lands or mills may in any way be injured, and to all persons interested therein ; and if any difference should arise between them and the commissioners as to the compensation to be given, the matter is left to arbitrators, one named by the commissioners, and the other by the parties whose lands or mills are to be taken, or whose lands or mills may be injured, with an appeal to an umpire to be named by the Board of Works. At the same time provision is made for ascertaining the legality of all obstructions. In cases where mill property to a considerable extent may be affected, the owners of the mills may, with the consent of the Board of Works, appoint an engineer to watch their interests,—the remuneration of such engineer to form part of the expenses of the works.

The money required for the completion of works and the necessary purchase of lands, and for compensation, to be supplied by the Board of Works out of the money in their hands for loans under the Public Works' Act, and to be repaid by easy instalments.

The commissioners are directed to account half-yearly, and to fix meetings after due notice for that purpose ; and all parties interested, including the grand juries, are to attend, and in case of difference there is an appeal to the Board of Works.

The commissioners are then directed to ascertain the boundaries of the waste lands, where such boundaries are confused, with an appeal to the next-going judge of assize.

When the works are completed, the commissioners are to prepare a draft of their award. By the award the whole expense attendant upon the improvements is to be apportioned amongst and upon the lands improved, according to the degree of benefit derived to, or conferred

on each land, and the commissioners are to set forth the instalments by which the money is to be repaid. In case of any rivers or lakes being made navigable, the commissioners are to specify the amount of contribution of the proprietors in respect of such navigation, distinct and separate from the expenses attendant upon the drainage.

The commissioners are to insert in the award all proper and necessary directions for maintaining and keeping up the works for the future, and they are to set forth the amount of contribution to be paid in respect of each land for such maintenance and keeping up; and the commissioners are to set forth the amount of contribution (if any) to be given by counties or parts of counties, in respect of the improved navigation; and they are to set forth the amount to be paid by the respective estates, the boundaries of which have been ascertained, on account of the expense incurred in ascertaining such boundaries. It then directs the draft of the award to be deposited with the clerk of the peace; and all parties interested are at liberty to appeal to the Board of Works, who will finally settle the award, and, if necessary, depute one of the body to proceed to the spot where the works have been effected. When settled, the award is to be deposited with the clerk of the peace, and enrolled in the county court. Before the award is finally settled, after the completion of the works, and they have been in operation for some time, in case it should be found that any lands or mills were more injuriously affected than was supposed at the time the compensation was fixed, the owners of such lands and mills may ask for another arbitration, and will be entitled to the same appeal to the Board of Works.

It is then declared that the apportioned contributions for the lands improved shall be charged upon these lands with priority over all incumbrances upon them, except

that any incumbrances thereon previously to the date of the award shall have priority to such contribution charges to the extent of the value of the lands before the improvements were effected; and the appropriated contributions are also to be charged upon all other lands standing settled with the lands improved, to the same uses, intents, and purposes, under the same limitations, contained in the same instrument, but subject to the specific incumbrances affecting the same, prior to the date of the award. There can be no objection to this, as the same persons are necessarily entitled as well to the lands improved as to the other lands comprised in the same settlement, which in fact constitute but one estate, and if part be benefited the whole must derive advantages; and it is necessary to give this additional security, as the lands reclaimed would not, without further outlay (which possibly might never be applied), be adequate security to the public, whose money is to be applied in the reclamation.

The contributions are to be payable by instalments, and in cases of non-payment of the instalments the Commissioners of Public Works, who have advanced the money, may obtain a receiver, or may sell or mortgage a competent part. All tenants for life and other incapacitated persons are given full powers to raise the money by mortgage.

The money (if any) to be contributed by the counties or parts of counties is to be levied also by easy instalments with the county cess, and the expenses of fixing the boundaries are to be paid by each estate whose boundaries have been ascertained, in like manner and together with the amount of contribution. If tenants for life, instead of borrowing the money should advance it, they are entitled to an equivalent charge upon the estate.

The bill then gives power to tenants for life, with the con-

sent of the commissioners, to lease the waste lands so improved, for a term not exceeding thirty-one years—the rent, terms, and conditions to be fixed by the commissioners ; and if lands should be in lease, the commissioners are to determine the increased rent to be paid, regard being had to the interest of the lessees.

Power is given to the Board of Works to levy tolls in cases of navigation for the purposes of repairs only ; and it is declared that the Board of Works may with the consent of the Treasury, contribute by grants in respect of navigation, in like manner as they are authorised to do by the 1st and 2nd of his late Majesty, in respect of roads and bridges ; but this is entirely discretionary.

Provision is made for the maintenance of the works, the surveyor of the county being directed to look after and inspect the same and report thereon to the Board of Works, which is empowered to cause the necessary reparation to be made out of the monies in their hands for loans, and to levy the expense off the occupiers, in like manner as the county cess is levied. The rate for maintaining the works, which must be trifling, is made payable by the occupiers, as they derive the advantage, and whose care it will be to preserve the works. In this manner security is given that the works will be maintained, and a general drainage will be established and maintained all over the country.

The object of the bill has been already stated. The principles upon which it is founded are—1st, To enable those who are willing to improve to do so ; and 2dly, to compel those who will share in the benefits and advantages to contribute their proportionate share of the expense attendant upon such improvement. Without such enactments a single proprietor may, by withholding his assent, prevent the improvement of several thousand acres of land ; and, on the other hand, a single proprietor may reap the greatest degree of benefit without contributing a single farthing, unless he is

made to contribute. Legislative interference is therefore required.

There are persons who object to any sort of legislative interference, contending that everything should be left to individual enterprise; but conclusions of this sort, drawn from the highly civilized and advanced state of England, are altogether inapplicable to the present condition of Ireland. In a country like England, where the way has been long since prepared for the safe investment of capital, there may not at this moment exist a necessity for legislative interference; but, when that necessity existed in the reign of Elizabeth, we have seen that the English legislature did not fail to interfere, and whenever co-operation or the power to take the land of others are required in England, they are always secured by Parliament. And all the wastes of England have been reclaimed through the assistance of Parliament. But why, it may be asked, do you require the money to be in the first instance advanced out of public funds? The answer is, the unwillingness of individuals, in the present state of Ireland, to advance their capital; the general distressed state of the landed interest in that country; the expediency of hastening these improvements as a necessary adjunct and auxiliary to the Poor Law that is about to be brought into operation; and, in the present reduced state of the country, owing to the long neglect of government, the first impulse must be given by the legislature. It is the profitable application of capital by way of loan, for legitimate purposes, on undoubted security; and while it promotes the present and permanent employment of the poor, it causes a great increased demand for manufactures, and a great increase of revenue. In support of my proposition, I am happy to be able to appeal to the very able authority of Mr. Merivale, who, in one of his interesting lectures delivered at the University of Oxford on the Irish Poor Law Bill, states,—

“ But if the work in question be one which either by the direct returns it yields, or by the additional facility afforded to commercial and national transactions, is really calculated to augment the wealth of the community, then the undertaking is, no doubt, a positive benefit to the labouring classes, for the funds appropriated to their maintenance will be permanently increased by it. When government on a local loan undertakes a work of this description it is investing capital productively, and, so far as that capital is not withdrawn from other productive employments, with national advantage.”

Such legislative interference for affording permanent employment cannot possibly be considered as giving an artificial direction to capital, or causing diversion of capital from profitable application, but rather as removing impediments to the natural flow of capital which would take place if these impediments were removed; whilst, on the other hand, by refusing this necessary effort to relieve Ireland from her present condition, the legislature would be chargeable with keeping capital out of its natural channel, and not only prevent and obstruct this first operation—the drainage of the land—but prevent the outlay that would necessarily follow in the further cultivation of the land so drained. Let the people be but convinced that these lands are capable of cultivation,—let the country be tranquillized by means of the employment afforded by this measure and the provision against destitution afforded by the Poor Law, and then individuals will be induced and encouraged to advance their capital in the further cultivation of Irish wastes. Besides, a general drainage of this description throughout the whole country is a national concern, and not merely private enterprize. The general face of the country will be altered, the climate improved, the social state and condition of the people raised, and some amends, at least, will be made for the neglect of the legislature in not having before given Ireland the benefit of land drainage and a poor law. It may

be said, Why ask for the advance by way of loan of public money, on what may be considered a speculation? I deny that the drainage of these lands is a speculation; and, after the reports of the commissioners, after the care taken by the intervention of the Board of Works, and the preliminary report directed to be made to them by the commissioners to be appointed under the bill, no one can reasonably consider it such. But, is it more a speculation than the Eau Brink Drainage, in England? And I find that, from the year 1817 to the year 1826, large sums of money, amounting in the whole to 250,000*l.*, have been advanced on loan from time to time on account of the Eau Brink Drainage, by the Exchequer Bill Loan Commissioners in England. Is it more a speculation than the Gloucester and Berkeley Canal, for which the sum of 160,000*l.* was advanced between 1818 and 1826, and of which the sum of 157,562*l.* 10*s.* still remains due? It is only within these few days that I have seen the Eau Brink Drainage Acts, and I am happy to say that they are founded exactly on the same principles as I have framed the Waste Land Bill. The drainage is effected by means of money borrowed from the Exchequer Bill Loan Commissioners, upon the security of taxes levied off the lands within certain districts benefited by the drainage, and according to the degree of benefit conferred; and improved navigation is combined. If it be said, that the money to be advanced should have priority over all incumbrances,—admitting the force of the argument, that, the estate being benefited, the securities of the encumbrancers are increased; and allowing that the Eau Brink Drainage Act, M. O'Farrell's Act, and other acts may be cited as precedents; yet, as sufficient security may be given, as proposed by the bill, without disturbing priorities, it appears to me more conformable to the properly settled notions of inviolability of contracts, not to give that priority; but if the giving priority be

considered an impediment in the way of passing the bill, I do not, for the reasons assigned above, think it ought to be objected to.

When the amended Poor Law Act was brought into operation in England, and during its progress hitherto, large sums of money have been laid out in labour on the several railway speculations. No one will doubt that great facilities were thereby given to the introduction and application of the amended law. A similar law is now about to be enforced in Ireland. The country is in expectation that Government will adopt the recommendations of the Railway Commissioners, and introduce a measure founded upon their valuable ; report but there is one quarter of Ireland excluded from the benefit of such works for some time. The justice or reasonableness of such exclusion I will not now stop to discuss : but, in coming to that conclusion, the commissioners recommend other measures to be adopted for the employment of the people ; and this assistance, this necessary assistance, may be derived from the drainage and reclamation of our waste lands, which are not confined to one spot, but to be found in every part of Ireland. No Poor Law Union can be formed without comprising some waste land.

Are there any specific objections to this measure ? One objection that I have heard made is, that two-thirds of the proprietors are to bind the remaining one-third, and that a charge is to be thrown upon the properties of the one-third, if not against their will, at least without their assent. This objection only requires to be considered for a moment. In the first place, no one will say that the opposition of the one-third, or their non-assent, ought to stop the improvement of the properties of the other two-thirds. This being allowed, the next proposition is, ought the one-third to receive the benefit without contribution ? If no benefit be derived to the properties of the one-third, no charge will be made. Benefit

conferred is the essence and the foundation of the charge; and to ensure justice to be done, the one-third will have the protection of the Board of Works—disinterested parties. It is not a mere question between buyer and seller, or between a company and an individual: it is a question relating to persons possessing properties similarly situate, all deriving the same benefit from the same operation of drainage, and submitting to a public board—not chosen by either party—to determine in what proportion the expenses attendant upon the improvements whereby the benefit is derived should be made up. It is the principle of the Enclosure Acts in England, where three-fourths of the proprietors bind the other one-fourth. By the 29th section of the General Enclosure Act, 41 Geo. III., cap. 109, power is given to the commissioners in case of default of the proprietors, as well the one-fourth dissenting, or not assenting, as the three-fourths who assent to contribute their proportion of the expense of the enclosure and of fencing the allotments, to make the necessary fences, and to pay the cost thereof, and also the share of the expenses of the enclosed lands, and to enter upon and lease the same, and continue in receipt of the rents until paid.

All owners and occupiers of lands comprised within the Eau Brink Drainage Act, and the several other drainage acts in England, whether assenting parties or not, are taxed and charged with the monies laid out upon the drainage. It is the principle conceded by the legislature in passing Mr. O'Ferrall's act. I have taken two-thirds, following in this respect that act, which is also a legislative sanction to that number; and conceiving, with the protection of the Board of Works, the number to be sufficient.

By the statute of the 43d of Elizabeth, already referred to, the majority binds; and so it is by the 13th Geo. III., cap. 81, intituled "An Act for the better cul-

tivation, improvement, and regulation of the common arable fields, wastes, and commons of pasture, in this kingdom," whereby, after declaring and enacting that the lands shall be enclosed, fenced, cultivated, and improved by the occupiers, in such manner as three-fourths of the occupiers, with the consent of the owners and the rector, shall agree upon, it provides—

“That all costs, charges, and expenses necessary for the carrying any such plan of ordering, fencing, cultivating, or improving into execution, as shall be agreed upon in manner aforesaid, and which shall, at any meeting to be held after six days' notice having been given in manner hereinbefore directed, by the major part in number and value of the occupiers aforesaid then present be deemed common expenses, and for the general benefit of the said occupiers, shall be borne, paid, and defrayed, proportionably, by all the occupiers of such open and common field lands, according to the value of the lands and grounds each person or persons shall have in such open and common field lands.”

This principle is acknowledged by the Act passed in the last session of Parliament, intituled “An Act for draining and embanking certain lands in Lough Swilly and Lough Foyle, in the counties of Donegal and Londonderry,” whereby certain undertakers are empowered to drain, embank, and take in, for their own benefit, certain waste lands covered by the sea, after allotting parts thereof to certain companies and individuals, with whom they have made arrangement; but, in respect of all other persons having an interest, compelling them to submit to such compensation as would be awarded to them by the Commissioners named in the Act, or a jury. This Act goes much further than is proposed by the Waste Land Bill; and, after the passing of the Bill I have just pointed to, and referring to the passing of Enclosure Acts in England, there can be no doubt that in any particular case, upon application to Parliament for a private bill,

an act would be obtained, but at an enormous expense. “No person of sane mind,” says Mr. Rickman, in his evidence before the Committee of 1830, “would desire that the machinery of the English Enclosure Acts should be employed throughout Ireland, because it would create interminable delay, and an expense usually estimated at 5*l.* per English acre, amounting to fifteen millions sterling in law and similar expenses, before all the mountain land and bogs could be reclaimed and divided in severalty, which is absolutely necessary for attaining a high degree of cultivation.” Ought parties to be driven to this enormous and useless expense, whilst a general bill applicable to all will better effect the purpose? Another objection taken is, that too large and extensive powers are proposed to be given in respect of adjoining lands, and the lands and properties of others not interested in the improvements; which is answered by the fact, that no greater powers are taken than are taken and given in every Canal or Railway Act; than are contained in Mr. O’Ferrall’s Act, which has received the sanction of the legislature; than are given by the Eau Brink Drainage Act, and the General Drainage Act of England. But to moderate the fear of those who entertain this objection, I beg leave to refer to Section 3 of the English Drainage and Sewer Act, 23*d* Henry VIII. cap. 5, to the following effect:—

“And further to reform, amend, prostrate, and overthrow all such walls, streams, ponds, locks, fish-garths, hebbing-weirs, and other impediments and annoyances aforesaid, as shall be found by Inquisition, or by your surveying and discretions to be excessive or hurtful.”

If any objection should be taken to the power given to the Board of Works to determine the proportion which the counties ought to bear, and also the power to the Board of Works to maintain and keep up the drainage works, and levy the necessary rate for that purpose, I beg leave to re-

fer again to the same section, whereby Commissioners named by the Crown are empowered to the following effect :—

“ And all those persons and every of them to tax, assess, charge, distrain, and punish as well within the metes, limits, and bounds of old time accustomed, or otherwise or elsewhere within our realm of England, after the quantity of their lands, tenements, and rents, by the number of acres and perches, after the rate of every person's portion, tenure, or profit, or after the quantity of their common, or pasture, or profit of fishing, or other commodities there, by such ways and means, and in such manner and form, as to you, or six of you, whereof the said A., B., and C. to be three, shall seem most convenient to be ordained and done for redress and reformation to be had in the premises.”

Proper and due care is taken for just compensation in each case ; and if the people of England have submitted to these provisions, and they have been found to work well for the general good, and not to operate injuriously to individuals, I do not see why we are not to expect the same effects in Ireland. But should the determination of a jury be preferred to that of arbitration, with an appeal to the Board of Works, although I believe the system of arbitration has worked well under the Shannon Bill, I should not myself object to the intervention of a jury.

In 1828, Mr. Brownlow succeeded in carrying through the House of Commons a bill for the reclaiming of waste lands in Ireland, which was unaccountably lost in the House of Lords ; but now, with the stimulus of the Poor Law, the promised support of Lord John Russell and Lord Morpeth, and the expectation held out on both sides of the House that the subject should receive all due consideration—at the same time relying upon the manifest policy of the operations proposed—I cannot help entertaining the confident hope that this measure will receive the assent of the legislature.

A most useful company has been lately formed, the

Earl of Devon chairman, for the reclamation of the waste lands of Ireland. The Waste Land Bill will most materially assist their praiseworthy efforts, for they require the assistance of this bill as much as individuals. They have already commenced their operations, and have acquired three large tracts of ground on lease. Their last report I have set out in Appendix No. 4.

## SECOND MEASURE.

The very limited leasing powers of tenants for life are primary obstacles to the improvement of Irish husbandry; and they also obstruct building improvements both on farms and in towns. Many instances might be given of houses being suffered to get into decay, and actually to fall, because a landlord could not give a tenure sufficient to induce an outlay by the tenants; and the inferior description of houses in our Irish towns is commonly ascribable to the same cause, the lessees building such houses as will suit their short term. This cause also obstructs the working of mines. Adopting as a principle, and taking as a rule, that which is applied in every well-drawn settlement or will, and at the same time bearing in mind the imperfect manner in which settlements and wills have hitherto been prepared in Ireland, I have ventured to propose that the powers of leasing contained in the bill which I have prepared should be incident to every estate for life. Many eminent lawyers concur in this opinion; and these powers are recommended by the late Mr. Humphreys in his book "*Observations on the Actual State of the English Laws of Real Property*;" also by Mr. Tyrrell in his "*Suggestions sent to the Commissioners appointed to inquire into the Law of Real Property*," where he states,—

"The usual powers of leasing at rack-rent and granting repairing leases without taking any fine, and of enfranchisement

and partition, might be given to every tenant for life, and to trustees named in the settlement, or, where there are no such trustees, to a public officer, during the minority of the person entitled in possession ; and the usual powers of granting building or mining leases, sale and exchange, might also be given to a tenant for life, with the consent of such trustee or officer."

There is no good reason why all the attendant incidents to estates should not be as much and accurately defined as the estate itself. They are so defined in the Code Napoleon, as well as in every new code lately published on the continent ; and such powers were given by the statute of the 32 Henry VIII. in England, to tenants in tail. At that time the usual limitations of settlement were tenancies in tail ;—estates for life were not then introduced ;—and the legislature, with the object, no doubt, of promoting the cultivation of the land and the employment of the people, gave as incidents to every tenancy in tail the power of leasing for twenty-one years, thereby removing the necessity of barring the estate tail. The corresponding act in Ireland is the 10 Car. I., cap. 6.

By the Act of the 5 Geo. IV., cap. 87, intituled "An Act to authorise the proprietors of entailed estates in Scotland to grant provisions to the wives and children of such proprietors," powers of jointuring and of charging with portions for children are given as incidents to every heir in tail in possession of the entailed estate. The legislative authorities to which I have already referred relieves the proposition altogether from the charge of innovation, and reduces it merely to an extension of, and improvement upon, existing institutions. We have the authority of Lord Redesdale that such powers are as much for the benefit of the remainder man as of the tenant for life ; and on that ground he enforced against a remainder man a mere agreement of the tenant for life having such a power to grant a lease, and made the following observations :—

"In the case of powers to make leases at the best rent that can

be obtained, it is evident that the author of the power looks to the benefit of the estate, and that the power is given both for the benefit of the tenant for life and of all persons claiming after him, for where the tenant for life can give no permanent interest, and his tenant is liable every day to be turned out of possession by the accident of his death, it is hard to procure substantial tenants ; and therefore it is beneficial to all parties that the tenant for life should have a power to grant such leases. It is evident that the occupying tenant can afford to give a better rent under such circumstances than if he were only to have a precarious tenure ; we see from the lettings for three years in this court and under custodians in the exchequer, how disadvantageous short and precarious lettings are."

By the Act of the 10 Geo. III. c. 51, relating to Scotland, the leasing powers thereby given are preceded by the following recital:—"And whereas many tallies of estates in Scotland do contain clauses binding the heirs of entail from granting tickets or leases for a longer endurance than their own lives, for a small number of years only, whereby the cultivation of land in that part of this kingdom is greatly obstructed, and much mischief arises to the people." This is exactly the case of mere tenants for life in Ireland, who can only grant leases for their own lives.

My proposition is in effect merely to supply omissions, whereas the powers given by the Scotch Act go directly against the clauses in the deed of entail.

By this measure I propose that every tenant for life in possession should have the power of leasing for any term not exceeding thirty-one years ; to take effect in possession ; the best yearly rent to be reserved without taking any premium or fine ; the lessee not to be made dispunishable for waste ; a condition of re-entry on non-payment of rent or breach of covenant to be contained in the leases ; as also a covenant from the lessee for payment of the rent and proper cultivation, and against assigning or subletting without the consent of the landlord ; a counterpart of the lease to be executed.

I also propose powers of leasing, under like conditions, for

ninety-nine years to encourage building, and for sixty years to promote the repairing of old buildings, such lease to take effect in possession, the best rent to be reserved; no premium fine to be taken; not more than ten acres of the same estate to be leased upon any building or repairing lease to any person or persons, or in trust; and such leases are to contain a condition making the lease void if the buildings to be erected and which are to be specified in the leases be not erected within ten years; and such lease to be void if the same shall not contain a covenant for payment of the rent and the keeping the buildings in repair, and also a condition for re-entry on non-payment of the rent or breach of any of the covenants, and a counterpart of the lease is to be executed.

I again propose that tenants for life in possession shall have power to lease mines of coal, freestone, lead, clay and ironstone, and other metals, minerals, or other substances found in or upon the lands for any term not exceeding sixty years, to take effect in possession with all usual powers and provisions necessary for the working of the mines, and enabling the lessees to manufacture and carry away the metals, minerals, and other substances, the best rent tolls and royalties to be reserved; no premium or fine to be taken, and a condition to be inserted in the lease of re-entry in case of non-payment of the rent, tolls, or royalties, or breach of the covenants, and a counterpart of such lease is directed to be executed.

By the 10 Geo. I. (Irish) a power is given to bishops and other ecclesiastical corporations, and to tenants for life, with immediate remainder to his or her heirs and every other son in tail male, and also to tenants in dower and by the courtesy with the consent of the reversioner, to lease mines for thirty-one years, subject to certain restrictions therein mentioned; and whilst this Act is a legislative authority for granting incidents to estates for life, it is clear that the powers conferred

are not sufficient, as not extending to all cases of tenancies for life, and the power is too limited.

In order that the next clause of the bill may be understood, it will be necessary that I should shortly explain the nature of the estate which a mortgagor and mortgagee have respectively in the land. The mortgagee has the legal estate, but only for the purpose of securing to himself the money advanced, for the mortgagor may at any time pay him off, giving him reasonable notice, unless there be some particular stipulation contained in the mortgage deed, and in case of refusal he may file a bill in a court of equity and compel a redemption. The mortgagee may enter into possession, but generally does not except in case of considerable default of payment of the interest. The mortgagor in possession is at law a mere tenant at will, but in equity and point of fact is the real owner subject to the mortgage debt, but any leases executed by him would not be valid against the mortgagee. The assent of the mortgagee is therefore necessary. Now this assent may be and is sometimes withheld capriciously; the mortgagee being satisfied of his security cares but little for the increase or improvement of the estate. The consequence is that persons willing to lay out money in the improvement of land or in the establishment of a manufactory are deterred from so doing by not having a valid lease made to them; instances might be given where, in consequence of a mortgagor not being able to give a perfectly valid security, the country has lost the benefit of the establishment of a large manufactory. The employment of the people is thus obstructed and no benefit derived to the mortgagee. This should not be permitted, protection being capable of being afforded to the mortgagee, and this is effected in the proposed measure by directing the mortgagor to give notice to the mortgagee of the lease which he is about to grant, and all its terms and

conditions; and if the mortgagee does not assent to or join in the lease, the mortgagor is at liberty, after the expiration of three months, to have the matter referred, by means of a petition, to a Master in Chancery in a summary way, who is to settle the lease, and the terms, and conditions, and rent. Provision is made for the expenses attendant upon this proceeding.

There is a direction in the bill that these powers of leasing should not extend to any manor or mansion house, or any glebe houses, or any offices or grounds belonging to a glebe or mansion house.

If it should be asked what protection there is given against fraud,—the answer is—the same protection that is given in cases of similar powers contained in settlements and wills, and greater or better protection cannot be afforded, which is, that the lease, which is made at the peril of the lessee, will be void if it contravenes any of the terms contained in the powers.

It is almost unnecessary to state that the object of these provisions is to give the tenant such a tenure in the land as will induce him to improve and properly cultivate it.

I was very much struck by the evidence of Mr. Hevey, before the Poor Law Commissioners, a farmer of 700 acres, who states, “During the scarce seasons I took a number of labourers into my employment, and reclaimed, draining about twenty acres of land; however, when it was discovered by the landlord, he took it from me and set it to another.” I trust that many instances of this sort are not to be found, but it is clear that without security of tenure the tenant will only think of getting as much out of the land as he can at the least possible expense to himself. No argument can be drawn to the contrary from the system much followed in England of not granting leases, as in such cases all repairs are at the expense of the landlords, and great care

is taken by them of the husbandry and mode of cultivation pursued.

The Scotch Act, already referred to, 10 Geo. III., contains a wholesome provision which I have incorporated in this bill; a power of exchange, which is preceded by this recital:—

“And whereas it may frequently happen that the inclosing of lands in Scotland may be retarded or prevented, or at least rendered inconvenient, by heirs of entail not having it in their power to exchange small parcels of the lands of their entailed estates for other lands convenient for the entailed estates, and more conducive to the improvement of the country in general; for remedy whereof, be it enacted by the authority aforesaid, that it shall and may be lawful for proprietors of entailed estates to exchange or make exchanges of land with all and every person or persons for the conveniency and advantage of the said estates and for the improvement of the country where such estates are situated by inclosing or otherways.”

Accordingly, by the proposed bill, power is given to every tenant for life in possession to exchange lands, with the approbation of the Court of Chancery, to be obtained on petition in a summary way.

The bill does not enable any lessee to charge or affect the interest of his landlord; but nevertheless any lessee, tenant for life, may exercise all the powers of the act, so far as respects his leasehold interest, except the power of exchange. The necessity of the restriction is evident, to prevent the confusion of boundaries of estates after the determination of the leases. Such are the provisions of the Leases and Exchanges' Bill. The principle of the latter part of the bill, relating to exchanges, is completely borne out by the General Inclosure Act in England, 41 Geo. III., cap. 41, sec. 15, as thereby full power is given to the commissioners to exchange lands. I understand it is objected that the bill is confined to Ireland, and that, if it be good or necessary for Ireland,

it must be equally so for England. That it would be equally good for England I have no doubt of; and if an amendment, extending its provisions to England should be moved, I will cordially support it. I do not think it equally urgent, as care has been taken in England to provide for those powers in settlements and wills; and, if required, parties in England can afford the expense of a private act of parliament much better than they can in Ireland.

### THIRD MEASURE.

The evils of suffering property to be put into mortmain were very early felt both in England and Ireland, and accordingly statutes were passed against mortmain; and where mortmain is allowed, it is upon the tacit condition imposed upon every owner of property, that he uses it not to the detriment of the state; and it does not at all follow that, because such estates cannot be alienated, they are not to be cultivated and improved.

The legislature, in the reign of Elizabeth, in England, and in the reign of Charles I., in Ireland, interfered to prevent archbishops and bishops, and deans and chapters, and other ecclesiastical dignitaries, parsons, vicars, and the masters or governors or fellows of colleges, from disposing of the inheritance of the lands belonging to them in their corporate capacities, or from making leases for a longer term than twenty-one years, except in cities and towns, where they were allowed to lease for forty years, and subject to certain conditions; one of which was, as contained in the statute of Charles I., cap. 3, sec. 2—"There shall be reserved and contained, due and payable unto the said lessors and their successors, during the said term of twenty-one years, so much yearly rent or profits, or more, at the peril of the lessees, who shall take the same as the moiety of the true value of the said lands or other hereditaments

(communibus annis) at or before the time of the making such leases shall amount unto." This is altered by the 35 Geo. III., whereby it is enacted, "That the rent reserved shall be that for which the lands were let for twenty years before the granting of the lease."

The manner in which the college lands are leased, is by reserving one moiety of the value fixed at a certain period,—I believe that 1810 was the last period at which the rents were fixed,—and this covers the rent for which the lands were let twenty years before; and this being so, the lease is good, and the other moiety is received by means of fine, and is one of the principal sources of revenue of the provost and senior fellows; and the lease is renewed every year, or every two or three years, the fine being increased according to the length of time the renewal is postponed. There is no obligation on the part of the provost and fellows to renew, and they may demand such terms as they think proper.

It is unnecessary to state, that under these circumstances the tenant will not effect any substantial or lasting improvements upon the land; the uncertainty of the tenure will deter him; besides, the improvements to be made by him may induce the provost and fellows to demand higher terms. As a preventive, therefore, to all improvement no better system could be desired; and hence it is that these lands are in such a deplorable state, as described by Mr. Griffith in his evidence before the Committee of 1835.

The same may be said of the bishops' lands. But in respect of these the legislature has interfered, and, by the Church Temporalities' Act, passed in 1833, has given to each tenant the right to demand, upon payment of the value of the perpetuity, a conveyance of the fee-simple, or a lease of 999 years.

One of the recommendations of the House of Commons' committee of 1835 was, "Enlarged powers of leasing to be

given to the Board of Trinity College and the Board of Commissioners of the Schools founded in Ireland by Erasmus Smith ;” and, following up this recommendation, I obtained leave from the House to introduce a bill to effect the object.

Through my valued and respected friend, the late Provost, Dr. Lloyd, I communicated with the board, who were very averse to any thing like the legislation contained in the Church Temporalities’ Act ; and finding that to be the case, and it being considered by some that there was a distinction between the property of bishops and that of the college, and the extent of the power to be given having been left open by the committee, I thought of a middle course, and proposed in my bill that an extended power of leasing should be given to the provost and fellows for forty-one years, subject to certain conditions ; every present tenant to be entitled to this extended term, to commence from the surrender of the existing leases, also to renewals from time to time, and the consideration for the renewal to be the sum of 6s. in the pound on the rent reserved in the surrendered lease ; and for every entire year of the term granted by the surrendered lease which should be expired at the time of the surrender, one-sixth part of the amount of which consideration to be paid at once and in a gross sum to the provost and senior fellows on the granting of the renewed leases, and the other five-sixth parts to be commuted into a yearly rent, payable during the renewed lease, and to be reserved as an additional rent to the rent reserved by the surrendered lease, and to be paid as the original rent. This sum of 6s. in the pound on all future renewals to be calculated on the original rent only, and the additional rent to be excluded from such calculation ; and for the better calculating the consideration for the renewal, the additional rent was to be reserved separate and distinct from the original rent.

At present the renewal fine for one year expired is 5*s.* 6*d.* on every pound of the reserved or half rent, for two years it is 12*s.*, for three years 18*s.*; and the portion of the fine which is the present value of the half rent increases in amount with the shortness of the time at which, if not commuted, that half rent would become payable.

It is the interest of the tenant to renew, to increase his term; and it is the interest of the board to renew, to ensure the fine. But to ascertain the intervals at which it will be most prudent to renew under the present system, the tenant has to set off the charge for stamps and law agency against what he would save in fine by annual renewals; and I believe the general practice is to renew every two years, and accordingly that the annual amount of fines to be divided amongst the eight members of the board is 6*s.* for every pound of the reserved rent.

The advantages of the plan are,—1stly, An increased term from twenty-one to forty-one years. 2dly, The tenant may, with perfect safety, suspend his renewals for ten years, as no board of eight men advanced in years would ever think of running their lives against an unexpired term of thirty-one years, or of forfeiting their portions of the renewal fines: so that not only the time is extended, but the chance of renewal much increased. 3dly, The tenant would be freed from the constantly renewing charges for stamps, law agents, &c.

Mr. Griffith describes the extent of the College lands in the county of Kerry to be one-eighth of the county, and the College has also large and very extensive tracts of land in the counties of Galway and Mayo, chiefly waste but reclaimable land. It cannot be for the interest or advantage of the College that these lands should remain in their present state, whereby a positive injury is inflicted upon the public.

Upon the passing of these measures there would be two courses open to the board to pursue. First, by means of

the Waste Land Bill, and by an outlay in fencing and erecting proper habitations, in addition to the drainage and improvement under that bill to improve their estates, and by arrangements with their tenants to obtain increased rents, giving the College a fair per centage for the money laid out. Or, secondly, under the extended power of leasing proposed to be given, to grant to their tenants such an interest as would induce them to make the improvements, the College stipulating and binding their tenants by covenant to do so.

If it be thought advisable that the absolute right to renew should not be given to the tenant, let the extended power be given to the board, leaving it entirely optional in them to exercise the power or not. I would not object to this, as I am convinced the Provost and Fellows would consider it their duty, as it would be their interest, to adopt one or other of these plans.

The right of Parliament to interpose, and the expediency of its so doing, I submit cannot be doubted. If it be objected that you are interfering with the rights of the college, my answer is that Parliament has already interfered and asserted its right to do so. It is the peculiar right of Parliament to interfere in cases of corporate property, corporations being the very creatures of the state and society, and allowed to exist solely for the benefit of the community.

It is intended that the provisions of this bill should be extended to the trustees of the schools of Erasmus Smith and of Sir Patrick Dunne's charity. According to the evidence of Mr. Griffith, the same necessity does not exist in those cases, at least in the same degree, but it is evident the cases are similar, and that for the improvement of these estates (which are very large, and in several parts of the country), and to put them on a level with the estates of individuals, the trustees

should have recourse to one or other of the systems I have already referred to.

#### FOURTH MEASURE.

A tenant for life, having only a limited ownership, will not apply his money towards the amelioration of the land, as he has no certainty of deriving the benefit to be realized by such outlay. The remainder man who is to succeed, and will derive the great advantage from such outlay, may be a stranger to him; and even if he should be his own son, the tenant for life may have a family of younger children, and will therefore be unwilling to apply his money (required for younger children) in the improvement of the estate for the benefit of his eldest son.

A large portion of the landed property in Ireland is in strict settlement. To satisfy the desire of owners of property to preserve the estates in their families as long as possible, and to keep up the possessions of the aristocracy, limitations of property are allowed by law, rendering the fee simple of the property inalienable for a period of a life or lives in being and twenty-one years afterwards; and until the passing of the Act generally called "The Thellusson Act," property might have been accumulated for the same period, but this is now confined to twenty-one years absolutely.

During the period of twenty-one years, that is, during the infancy of the tenant in tail or in fee, or during the life of a tenant for life, who may live to the age of seventy or eighty years,—if the tenant for life and tenant in tail or in fee do not agree to improve the estate, the lands may remain waste and unprofitable to society. Now it does not follow that because society allows property to be inalienable for a certain time such property should remain unproductive and useless

during that time, sufficient protection being taken that the remainder man be not defrauded. In an abstract point of view, and in reference to society at large, it may be asked why one estate should be allowed to be unprofitable, and the adjoining estate, not comprising better or more fertile land, should be in a most cultivated and flourishing condition? It is not a satisfactory answer to be told that the one belongs to a tenant for life and the other to a tenant in fee. The object of keeping the estate in the family will be equally attained although power be given to the tenant for life to improve, and charge a portion of the outlay upon the inheritance, and the remainder man himself will be much benefited by coming into possession of lands in a cultivated and flourishing condition, instead of succeeding to an unprofitable waste. Let us suppose a tract of one thousand acres of reclaimable land; and we have it ascertained that the cost of reclamation per acre is from 6*l.* to 13*l.*, and that the land when reclaimed will be worth 10*s.*, 12*s.* 6*d.*, 1*l.*, 2*l.*, an acre, even as high as 3*l.* an acre; we have it also ascertained that the expense of the reclamation of the mountain bog or waste varies from 1*l.* 10*s.* to 3*l.* 10*s.*, or 4*l.* 10*s.*; let, then, an average expense be taken of 7*l.* or 8*l.*; and let us suppose the reclamation to be made by the tenant for life, and the inheritance to be charged with three-fourths of the expense attending upon the draining, inclosing, and fencing, which is the inconsiderable part of the cost as we have seen, but which when perfected will induce the tenant for life, for his own sake, to proceed with the reclamation, as he will be repaid by the cultivation of the crops: the remainder man would thus succeed to the possession of an estate worth 500*l.*, 750*l.*, 1000*l.*, or 1200*l.* a-year, charged with perhaps 3000*l.* at the utmost. Can it then be doubted that it is more beneficial to him to succeed to an estate so charged

in a good state of cultivation, than to succeed to it as mere waste, unprofitable land?

But see the great benefit to society during the life of the tenant for life, say forty years: this land is made productive, the national stock is increased, and fifty or sixty agricultural labourers are supported on these lands. Without necessity therefore it should not be allowed, during the life of the tenant for life, or even during the minority of a tenant in tail or in fee, that the lands should remain waste and unprofitable. There can be no such necessity if safe and proper guards be taken that no fraud be committed upon the remainder man.

The Act of the 10 Geo. III. cap. 51, passed in 1770, already referred to, contains this recital,—

“Whereas it may be highly beneficial to the public if proprietors of entailed estates were encouraged to lay out money in enclosing, planting, or draining, or in erecting farm-houses and offices, or outbuildings for the same upon their entailed lands and heritages; and whereas such proprietors may be induced and encouraged so to do, if they, their executors and assigns, were secured in recovering a reasonable satisfaction for the money expended in making such improvements, from the succeeding heirs of entail: Be it therefore enacted, by the authority aforesaid, that every proprietor of an entailed estate who lays out money in inclosing, planting, or draining, or in erecting farm-houses and offices, or outbuildings for the same, for the improvement of his lands and heritages, shall be a creditor to the succeeding heirs of entail for three-fourth parts of the money laid out in making the said improvements.”

From the passing of this Act, and the abolition of the heritable jurisdiction, may be dated much of the prosperity of Scotland. The expenditure is confined by that Act to four years' value, and the charge is not to exceed three-fourths of the money expended. Due notice is directed to be given to the next heir in tail, and the expenditure is to be annually

accounted for before the sheriff's court, a local court in that country. If such a law has worked beneficially in Scotland, why may we not expect the same success in Ireland?

Mr. Loch, M.P. for Wick, thus describes the result of this law, in his evidence before the Committee of 1835 :—

“The Act alluded to is better known in Scotland by the name of the Chief Baron Montgomery's Act : it is a very useful statute : it has been, with all its defects, very useful in Scotland, and has enabled many heirs of entail to execute improvements which might otherwise never have been made. It has been acted upon in a variety of cases. I have taken advantage of it to the full extent of its powers, in my own case, where I am a trustee under a marriage settlement, whereby a considerable estate in Scotland is vested in me, and in which instance it would have been impossible to have executed considerable improvements, namely, in repairing the mansion-house, and in building farm-houses and other necessary buildings connected with the improvements of the farms, in enclosing, planting, draining, and so on, unless such a power had existed ; the proprietor of the estate having succeeded to it under the strictest limits of a Scotch entail, and he was so circumstanced that it would have been impossible to execute the necessary improvements without such a power ; and if such a power had not been acted upon, great injustice would have been done to the younger children, by applying the surplus profits of the estate to the improvement of that which, by the entail, must have all gone to the eldest child. But advantage was taken of the Act alluded to, and all the improvements have been charged upon the estate ; and that amount of expenditure so charged has been settled upon the younger children. That is by no means a solitary instance, for in many other cases which might be named the same course has been pursued.”

There is this advantage in favour of extending the law to Ireland : the burden may be got rid of upon the succession of the remainder man on his attaining the age of twenty-one years. In considering this case, it should not be forgotten that the settlement of estates is a creature and indulgence of society, and that society should receive as little injury as

possible from such indulgence ; and, therefore, the Committee of 1835 recommended—

“Tenants for life to have power to charge the inheritance with an outlay to the amount of three years’ value, under the directions of the Board of Works, for the drainage, embankment, or other permanent improvement, save buildings. The Board, in the first instance, to make a report, in which the feasibility of the improvement, when projected, shall be certified. This report to be laid before a Master in Chancery, with an application from the party to the court and the master, to make due investigation, and if he approve of the project as being of such utility to the estate that the inheritance should bear the charge authorized to be placed on it, then to certify the same to the court, and the certificate to be enrolled for the purpose of title, and the tenants for life to have power to sell or mortgage, to the amount of such outlay, any part of the estate which, or any portion of which is to be improved. Tenants for life paying any portion of the outlay with their own monies, or out of the rents and profits, to be entitled to a charge of that amount in the inheritance, but to be bound to keep down the interest of such charge.”

The principle of this measure is recognised in respect of glebes, in Ireland, and in all the Enclosure Acts in England, whereby the tenant for life has the power, with the approbation of the Enclosure Commissioners to mortgage the allotments with the necessary sum for defraying the expense of the enclosure and the fences of the allotment.

This principle is also recognised by the Irish Act of the 9th Geo. II., for the increase of plantations. That Act gives to the representatives of the tenant for life one moiety of the value of the timber, within one year after his decease. And by the 5th Geo. III. (Irish) still greater encouragement is given to tenants, to plant on the lands leased to them.

By the proposed bill, the improvements, in respect of which the tenant for life in Ireland is to have the power of charging, are draining, enclosing, fencing, and planting. I do not extend it to the building of farm-houses, as in the

Scotch Act ; although I think such a power might be safely given ; and certainly, as it must necessarily have the effect of improving the habitations of the people, it would be a most desirable object ; but, yielding to the opinion of Mr. Griffith and others, who think that, as buildings are perishable in their nature, they ought not to be made a charge upon the inheritance, and according to the recommendation of the committee, I have omitted this power in the bill. I have also omitted the power contained in the Scotch Act, to tenants for life to lay out two years' rent in building a mansion-house ; but if, in the progress of the bill, it is thought more expedient to insert these two provisions, as to farm-houses and mansion-houses, they ought not to be objected to.

The tenant for life, wishing to take advantage of the act, is to apply by petition in a summary way to the Court of Chancery for leave to make the improvements, setting forth the nature of the improvements to be made, and the estimated cost thereof. A reference is to be made to the master, who is to call for all necessary maps, and plans, and specifications, and is to cause the same to be laid before the Commissioners of Public Works, who are to report thereon to the master, who, upon consideration, is to report to the court as to the fitness and expediency of the proposed improvements and the cost thereof. The commissioners are at liberty to employ a surveyor. The tenant for life being, in the first instance, at all the expense. A copy of every petition is to be served upon every individual interested in the estate down to the person who has the first estate of inheritance, and therefore representing the inheritance. In case of unsoundness of mind or minorities, the petition is to be served on such party as the court shall direct, and each party served is at liberty to attend before the master and the Board of Works on all occasions. Having obtained the sanction of the court, the tenant for life may proceed with the improvements which, when made, he is again to petition

the court. Inquiry is then to be made into the expenditure, and, upon proof being made that the improvements have been properly made, and the money expended to the satisfaction of the Board of Works and the court, the tenant for life is to have power to charge the inheritance of the lands improved, and all lands standing settled to the same uses, under the same limitations contained in the same instrument, with three-fourth parts of the money expended, the money to be so charged in no case to exceed three years' rent or clear yearly value of the estate, of which the lands to be improved form a part, to be ascertained by the master by reference to the rent paid or clear yearly value for the nine years previously, and the master is to endorse the same on the deed of mortgage. If the tenant for life is obliged to borrow the money he has power to mortgage for the three-fourths of the amount sanctioned by the Board of Works, and he is at liberty to apply to the Board of Works for a loan out of the money at their disposal. The bill extends to all tenants for life, whether legal, or equitable, or entitled for any term of years determinable on a life, and including all corporations, aggregate or sole, all bishops, parsons, and other ecclesiastical persons: but the bill does not enable any lessee to charge or in anywise to affect the interests of his landlord; but every lessee being tenant for life in possession, may exercise all the powers of the act so as to bind his remainder-man in respect of the leasehold interest, but the leasehold interest only.

#### FIFTH MEASURE.

In the leases and exchange bill I have confined the power of leasing to terms for years. The tenant, being aware of the extent of his tenure, will confine or extend his expenditure accordingly; but a lessee for a life, not being able to define with certainty the extent of his term, will be unwilling to lay out any money upon the land, not being

satisfied that he will have an opportunity of deriving any benefit. To prevent the inconvenience of the land not being cultivated, the law gives to the executor or administrator of the lessee for life emblements. The same uncertainty, although not in the same degree, applies to a lease for two or three lives; and any expenditure must be either insured against, or the tenant must become his own insurer and speculate on the duration of the lives. Add to this the difficulty of ascertaining, in many cases, whether the *cestuique vies* are living or dead, they may leave the country and not be heard of for years. This is an inconvenience felt by the landlord also, and litigation has frequently been the consequence. A greater degree of security is acquired by means of the covenant for perpetual renewal in leases for lives. But let us consider for a moment the nature of this tenure. It is a lease for three lives, with a right to have another life substituted on the dropping of each life, upon the payment of a certain sum. If the landlord should refuse to renew, the remedy is by a suit in equity, so that the tenure is a lease for three lives with a power to institute a suit in equity to enforce the right under the covenant to renew. Upon the death of the last life the estate of the tenant is gone, and then, or upon the dropping of a previous life, he has to discover the lessor to demand the renewal, and, if refused to bring his suit; and it may so happen that the lessor is out of the jurisdiction of the court: I admit, however, a remedy is provided in case of a lessor being out of the jurisdiction in clear cases, but this remedy is attended with some expense. Should the lessor be within the jurisdiction, and refuse to renew, a heavy and expensive suit is the consequence.

The payment of the fine not being a regular payment,—although in many cases the fine is not heavy,—the tenant is not prepared; he neglects to renew; by that neglect he may forfeit his right, or, if he does not, he has to account for the

fine and interest, and septennial fines, as they are called. This was too much the case in Ireland, relying upon the relief given in courts of equity on the ground of giving the lessor compensation (the fine being a money payment) by means of interest and septennial fines. The system was considered the common equity of the country; and litigation to a great degree was the consequence, until some doubt was thrown upon it by the House of Lords in England, when the Tenantry Act was passed, wherein the equity to relief giving compensation was acknowledged, but giving the lessor the right to demand the payment of the fines, and to require the tenant to prepare and execute fresh leases; and which, if not done within a reasonable time, the right to be relieved was forfeited. It was impossible for the legislature to define the exact time, which in some cases, if defined, might be too large, and in other cases too small. It was therefore left open to determine what was a reasonable time in each case, according to the circumstances; but this again gives rise to great litigation; and the cases reported in Ridgway's Parliamentary Cases, in the Reports of Schoales and Lefroy, and Dow and Bligh's Reports, bear ample testimony to the abundant litigation between landlord and tenant. Considerable complication arises respecting this tenure; for the lessee for lives renewable for ever leases himself for lives renewable for ever, covenanting to renew to his tenant when he renews himself. And again, this second lessee for lives also leases for lives renewable for ever with a similar covenant; and this is often repeated four or five times in respect of the same property, and is what is called the *toties quoties* covenant. Now, it is evident that all these derivative lessees are at the mercy of the first lessee: for, if he commits a fraud upon the landlord by concealing the death of the *cestuique vies*, and thereby endeavours to get rid of the tenure or otherwise, or

if he neglects, after demand made, to renew within a reasonable time, he forfeits his right of renewal, and, with the loss of that first interest, all the other derivative interests are gone. And again, if this property be put into settlement by the first lessee, he being tenant for life of the leasehold interest, he may, by his fraud or neglect, forfeit the rights of all other persons claiming under the settlement. Lord Redesdale, in *Jackson v. Saunders*, one of the litigated cases, describes another inconvenience of this tenure in the following clear and convincing manner:—

“When it is considered that these leases are often granted by persons who have themselves renewable interests, and that the means which such persons have to pay their rent and fines arise from the rent and fines payable by their tenants, who may themselves underlet to others, and such underletting repeated four or five times; if the person who has the reservation on the last underletting (and who is to renew with his immediate landlord, and he with another, and so on) is to encounter a considerable delay after a demand of this description, I do not know what security the intervening persons have for their property; for if the person last holding withholds payment from his immediate landlord, all the intermediate tenures may be put in great hazard.”

The lessor is often on the watch for some breach of covenant to get rid of the lease, and with it the covenant to renew. Herein also arises frequent and annoying litigation. Such are the inconveniences attendant upon this tenure, so far as respects the lessee. Let us now consider how the lessor is affected. That such a tenure should ever be adopted by landlords, can only be accounted for by the confiscations of the landed properties of Ireland. Lord Clare, in his celebrated speech upon the Union, says—

“It is a very curious and important speculation to look back to the forfeitures of Ireland incurred in the last century. The superficial contents of the island are calculated at 11,042,682 acres. Let us now examine the state of the forfeitures.

|                                                |                   |
|------------------------------------------------|-------------------|
| In the reign of James I. the whole of the      | ACRES.            |
| province of Ulster was confiscated, containing | 2,836,837         |
| Set out by the Court of Claims at the Resto-   |                   |
| ration . . . . .                               | 7,800,000         |
| Forfeitures of 1688 . . . . .                  | 1,060,790         |
| Total .                                        | <u>11,697,629</u> |

So that the whole of your island has been confiscated, with the exception of the estates of five or six old families of English blood, some of whom had been attainted in the reign of Henry VIII., but recovered their possessions before Tyrone's rebellion, and had the good fortune to escape the pillage of the English Republic inflicted by Cromwell; and no inconsiderable portion of the island has been confiscated twice, or perhaps thrice, in the course of a century."

The persons who acquired rights under these confiscations being unwilling to reside in Ireland, and wishing to retain the reversion in their properties,—the remedies for recovering fee-farm rents not being as complete as for the recovery of rents attendant upon the reversion,—thought of this tenure; and this, I believe, is the origin in Ireland of leases for lives renewable for ever. It has been said that these lands were originally copyhold lands, and were converted into freehold tenure in this manner; but whatever the origin may be, it is, I believe, true that one-seventh, at least, of the whole kingdom is subject to this tenure. It is clear, also, that a landlord letting property in this way, in effect abandons all interest in it, and has no inducement to take a part in its improvement; and we have seen the reason why the tenant cannot take or have the same inducement as if he was absolute owner in fee: that he has not the same power over the property, has been decided by that very able judge, the present Master of the Rolls in Ireland, in the case of *Hunt v. Brown*, who makes the following correct observations, which, coming from him, who is so

well acquainted with this tenure, are most important. He states—

“ Every day’s experience shows how very uncertain the duration of an interest under such a tenure is; forfeitures of the right to enforce a renewal daily occur, through the neglect of tenants or the dexterous management of landlords. Covenants, treated in some cases for more than a century as entitling tenants to renewals for ever, have been constructed by courts of justice as not conferring any such right. Any person who is much engaged in the investigation of titles under leases for lives renewable for ever, will find, in almost every abstract of such titles, a statement of the result of one or more suits in equity for enforcing the right: the usual statement is, the right to a renewal having been questioned, it became necessary to file a bill for a renewal.”

It has been decided by a committee of the House of Commons that such a lease does not give a qualification under the statute of Anne. The accuracy of such a decision, when one of the *cestuique vies* may be the person entitled to the property in possession, may well be doubted. The difficulty of discovering the deaths of the *cestuique vies* is often attended with considerable inconvenience, and perhaps with great loss to the lessor; and in cases of mere neglect, where the tenant enforces a renewal on being made to pay the fine with interest and septennial fines, it is absurd to say that thereby compensation is given to the landlord. The landlord stipulates that on the dropping of each life a fine is to be paid and a new lease executed; but a court of equity decrees, that in cases of mere neglect, at almost any distance of time, a renewal will be enforced, making the tenant pay his fine with interest and septennial fines; as if a sum of money, although increased by interest, received by a landlord at one period, is equivalent to his receiving a similar or a less sum at an antecedent period—the use which the lessor might make of the money is entirely forgotten.

Mere simple interest is clearly not an equivalent, even coupled with septennial fines; and it may so happen that his receiving the fine at the dropping of the life might have saved him from bankruptcy and ruin, whereas his receipt of the larger sum in twenty years afterwards, when in affluence again, may not be of the slightest consequence to him. There is another party also that suffers by this tenure, and that is the public; for instead of landlords occupying and improving their own estates, in immediate connexion with their tenants, and encouraging and assisting them in improvements, and instead of tenants having a certain fixed term in the property, by which they could safely measure their expenditure in the way of improvement, the landlord neither has, nor can have, an interest in improving the property, and the sub-tenants will not improve when they have no certainty that the property so improved by their means will descend to their posterity. This tenure being founded on absenteeism, also takes away all inducements from landlords to reside in Ireland; and there is no reason why they should, for they have no land to manage or improve. Without imputing to absenteeism all the evils which some people are apt to attribute to it, on the other hand it cannot be denied that the owner of an estate, by residing on his property, has more frequent opportunities of attending to the wants of his people than when residing at a distance; and improvement must be forced on a resident landlord, if he possesses the least intellect or humanity. Indeed it may be said that there are two sets of non-residents—those who look after their property, and those that do not. Unfortunately for Ireland, many of her non-resident landlords are of the latter description, and this tenure necessarily increases the number. A non-resident proprietor may be a better landlord than a resident, but it does not necessarily follow that he is,

but rather the contrary is to be inferred; and it is therefore incumbent upon him, in the first place, to employ a person on whom he may rely as to the management of his estate, always bearing in mind that mere receipt of rent is not management: he should employ an agent who will act kindly, leniently, and honestly towards his tenants; who will look after the cultivation of his estate, and prevent the land from being improperly used; who will encourage and assist the tenants in making improvements.

A good landlord is sometimes held to be a man who indulges his tenants, by allowing them to run in arrear, and does not look to his estate. A little reflection will show that such a man is not a good landlord, but the reverse: he neglects his estate, he increases not the comfort of his tenants, and he encourages them in idleness and sloth; and this continues till they are overpowered with arrears, all the while continuing within the power and the grasp of the landlord, who may pounce upon them and distrain, on any day they may displease him. Such a system is ruinous to landlord and tenant. A good and faithful agent is not enough: the landlord should himself visit the property as often as he can, and watch, encourage, and assist the operations of the occupiers of small farms: he should ascertain what general improvements ought to be made in draining, irrigating, and cultivation. He should settle his accounts with his agent at least every year; and closely attend to the mode of letting, and the mode of settlement practised. A duty is cast upon the owner of every estate, that by his management of that estate the public and the state do not suffer; and this duty is independent of the moral and religious obligation thrown upon the landlord to secure, in as much as he can, the comfort and happiness of his tenants.

I trust I have shown that this tenure should be altered;

and it may be altered without injury to any individual. A bill should be passed, enabling all tenants for life and other incapacitated persons to sell to the lessee the reversion in these properties, with the approbation of the Commissioners of the Board of Works, or commissioners to be appointed for that purpose, and upon notice to the remainder-man, and to receive either an equivalent in land, to be settled to the same uses as the reversion, or a gross sum of money, to be laid out under the approbation of the Court of Chancery, to be obtained in a summary way, in the purchase of other lands, to be settled to the same uses as the reversion sold. In like manner all tenants for life and other incapacitated persons interested in the leasehold should be enabled, with the same approbation and consent, and upon the same notice, to buy the reversion, and either to give an equivalent in land or a gross sum of money; and for that purpose to raise the gross sum upon the land which shall remain disencumbered of the term.

In respect of the derivative leases to which I have already referred, in which the *toties quoties* covenant, as it is called, is contained, I would confer the same powers.

For five years this conversion should be voluntary, but after five years it should be compulsory upon all owners of the reversions and all lessees for lives renewable for ever, upon the same principle as the tithe commutation in England,—the Board of Works or commissioners appointed for the purpose to determine the terms.

In this manner the landlord would, instead of the reversion, have an estate in possession, over which, and in the management of which he would have control, or with the occupiers of which he would be in immediate connexion, and who would thereby be induced to attend to the improvement and proper cultivation of the property; and the lessee would be absolute owner and have the absolute control over

that part of the property which would remain with him. The advantages to the landlord and the lessee would be necessarily great: the advantages to the public would be still greater, for instead of non-improving lessors and lessees, as under the present tenure, both lessors and lessees would have an interest to improve and to attend to their properties.

A bill similar in principle as to copyholds in England was last session introduced by the Attorney-General for England. It was read a second time, and referred to a select committee. That committee was composed of most of the real property lawyers in the House, and many lords of manors, and amongst them Sir Robert Peel and Mr. Shaw Lefevre. They agreed to a report in which are contained recommendations as to the enfranchisement of copyholds very similar to those I have suggested as to the leaseholds for lives renewable for ever. In the bill introduced there was an option of giving and receiving an equivalent in land, or a gross sum of money, or an annual rent. This provision as to annual rent I have not inserted in the bill I have proposed, because although litigation and complexity of the titles would be got rid of, and also the uncertainty of tenure on behalf of the tenant, yet the landlord would continue to be a mere receiver of rent without having any interest or control in or over the management of the property. My friend, Mr. James Stewart, the member for Honiton, has prepared a bill carrying into effect the recommendations of the committee, which I trust will receive the sanction of the legislature, and which will serve as a precedent and a guide for the conversion of this tenure in Ireland into fee simple.

#### SIXTH MEASURE.

There is no greater obstacle to the improvement and cultivation of land, and consequently to the employment of the people, than the holding of property in undivided shares, whether as parceners, joint tenants, or tenants

in common ; and the same observation applies to the case of confusion in and non-ascertainment of boundaries. Every facility should therefore be given to parties holding undivided shares to have a partition made, so that the share of each may be held in severalty and in like manner as to the determination and fixing of boundaries. In cases of partition the old remedy was by writ at common law, but which being very defective, recourse has within late years been had to the Court of Chancery, which by means of its power over parties and of directing the necessary conveyances to be made, gives an effectual relief, but, I regret to say, by a very tedious and most expensive mode of proceeding. A bill is filed, answers are put in, the cause regularly set down for hearing, a decree obtained, and by that decree the relief which might have been given at once is granted, viz. a commission directed to certain individuals to divide the land in severalty. During this tedious process parties may die, others may marry, or become bankrupts or insolvents, in all which cases it is necessary to file bills of revision or supplement, all which is attended with further delay and expense. I know a case at this moment depending in the courts in Dublin, where the bill for a petition was filed in 1822, and no decree has as yet been obtained. A great portion of this delay is of course attributable to the parties themselves : many deaths and other alterations in the condition of the parties have occurred, upon each of which occasions ample opportunities were given for delay and expense, until at length the parties are disgusted with the whole proceeding.

A power of partition is contained in every well-drawn settlement or will in England, and is generally given to trustees with the consent of the tenant for life. If all the parties interested were invested with such power, or were absolutely entitled, there would of course be no necessity for applying to the court at all. Unfortunately these powers have not

been thought of in Ireland, hence the necessity of interference; and my proposition is, that every person entitled to an undivided share, whether for an estate for life or any greater estate, should be at liberty to apply to the Court of Chancery, by petition in a summary way, for a partition, and that the court should thereupon at once, or, after a reference to the master, give all necessary directions for a partition, and direct all necessary conveyances to be executed.

Provision is then made by the bill for the application of money to be received, by way of equality of partition, in the purchase of other lands under the direction of the court, to be settled to the same uses, and power is given to the tenant for life, with the approbation of the court, to raise money for equality of partition. Provision is then made for due notice of the proceedings being given to all parties interested.

By the sixteenth section of the 41st Geo. III. cap. 109, the General Enclosure Act, it is enacted—

“That it shall be lawful for any such Commissioner or Commissioners, and he or they is, and are hereby authorised and empowered (upon the request in writing of such joint tenants, or co-partners, or tenants, in common, or any or either of them, or of the husbands, guardians, trustees, committees, or attorneys, of such as are under coverture, minors, lunatics, or under any other incapacity, as aforesaid, or absent beyond seas, to make partition and division of the messuages, cottages, tenements, lands, and allotment or allotments, to such of the said owners or proprietors who shall be entitled to the same as joint tenants, co-partners, or tenants in common, and to allot the same accordingly to such owners and proprietors in severalty. And from and immediately after the said allotments shall be so made and declared, the same shall be holden and enjoyed by the person or persons to whom the same shall be allotted in severalty, in such and the same manner, and subject to such and the same uses as the undivided parts or shares of such estates would have been held, in case such partition and division had not been made.”

Objections have been made to these powers of leasing and exchange, and also of partition, on the ground of their hav-

ing a retrospective effect ; but this objection would equally apply to the Scotch Act of the 10th Geo. III. cap. 51, and the Act relating to Scotland of the 5th Geo. IV. cap. 87, as well as to the General Enclosure Act ; and this objection can have little effect, when it is considered that the granting of these powers is to supply what must be considered omissions in settlements and wills, and that no injury can arise to any one, nor is the interest of any third party sacrificed.

Now, with respect to disputed boundaries, of which I regret to say there are many cases in Ireland, the Railway Commissioners, in their report, state—

“ Another subject of angry contention before the same tribunals (courts of petty sessions) is furnished by ill-defined boundaries, neglected fences, and consequent trespass, between the neighbouring tenants of the small divisions of land above described. More time and money are commonly wasted in such contests than would suffice to repair all the damage which forms the ground of quarrel ; and animosities are engendered, which often lead to feuds of a lasting duration and the most deadly consequences.”

Besides, it will become essentially necessary to have these boundaries settled according to the progress made in cultivation. The present remedy is by ejectment, and which, after useless delay, and going through the unnecessary forms of filing a declaration, putting in a plea, filing, replication, joining issue, and sending the record down to the assizes ; and after delivering of heavy briefs with suitable fees, and the expense attendant upon the bringing of witnesses to the assize towns, generally ends in the appointment of one or more persons as arbitrators to settle the bounds, or the jury proceed to a view.

I do not see any good reason why all that part which is played in the court above should not be abolished, and that a petition in a short form, and in a summary way, should not be presented to one of the going judges of assize, pray-

ing that the boundaries in dispute may be settled ; and, accordingly, this provision is contained in the proposed bill ; and the judge is thereupon directed to appoint a person as a referee, to ascertain the identity of the lands, and the boundaries thereof mentioned in the petition. The duties of the referee are then defined. He is to inquire whether any doubts exist as to the boundaries, and if there are any, he is to cause all maps and surveys in the possession of the parties to be produced, and he is to cause the attendance of all necessary witnesses ; he is then to make his award, and also to cause a map or plan to be made, according to the boundaries ascertained by him. He is directed to give notice of his intention to proceed in the inquiries, in order that all parties interested may attend ; and he is also to give notice of his award, and of the place where it is lodged, in order that all parties may have access thereto. An appeal is then given to any party dissatisfied to the next-going judge of assize, who may, if he thinks proper, summon a jury ; and the decision of the judge or verdict of the jury will be conclusive. And the award so finally settled is to be deposited with the clerk of the peace. The advantages of this measure are, the great saving of time and expense to the parties, which, by the present method of ejectment, are incurred without any object whatever ; and this is a most fit opportunity for such a measure to be passed as the surveys made by the officers employed in the Ordnance Survey will be of course used, and advantage taken of them, by the referees, and all deference paid to them, prepared, as they have been, with all due care and attention, by experienced and skilful men. When the multitude of disputed cases of boundaries in Ireland are considered, and the disastrous quarrelling and fighting which are consequential, (for the tenant takes in general a livelier interest in the boundaries than the landlord,) no doubt can exist of the necessity of

a measure whereby these boundaries may, in a summary way, and at a cheap rate, be ascertained and finally settled. The Ordnance Survey only finds for the purposes of taxation, but not as to title or enjoyment.

Can any objection be taken to the proposed measure? The summary proceedings before the judge, and getting rid of the proceedings in Dublin, cannot, I conceive, be found fault with. If, then, the appointment of the referee be objected to, I appeal to the Scotch Act, already referred to, whereby the sheriff in Scotland, respecting exchanges, is authorized to appoint persons to ascertain the value of the estates proposed to be exchanged. I appeal to the present system of proceeding under commissions of partition, directed by the Court of Chancery. I appeal to the authority given to the commissioners, under the General Enclosure Act, of ascertaining boundaries; and to the bill brought in last session by her Majesty's Attorney-General for England, intituled "A bill to authorise the identifying or ascertaining of the boundaries of manors and lands, where such boundaries are confused or unknown." If it should be thought proper that more than one referee should be appointed, with an umpire, I should not object; but as the referee, as proposed by the bill, will be appointed by the judge, and not by any of the parties, I think the appointment of a single referee preferable.

#### SEVENTH MEASURE.

A very large sum is levied annually in Ireland, by grand juries, to repair public roads, and the work is performed by contract. These contracts are generally given to occupiers of small farms, who prefer getting money in this way, from the county, to the proper cultivation of their land, and who employ their sons and relations, also holders of small farms, to assist in this occupation, which requires their time at the

very season of the year when agricultural labour is most required. It may be doubted, for other reasons, whether the system of getting these works performed by contract has answered; and certainly it has not fulfilled the expectation of the people. The contractors must give security; and to obtain that security from his landlord or rich neighbouring landlord, he must give an equivalent, which is the employment of the tenants of his sureties, whether fit or not; and thus the country is altogether deprived of the benefit of competition, for those only who can procure security receive the contract. It is, however, an improvement upon the old jobbing system of landlords, who sought the presentment or authority for the work, and employed their own poor tenants, who executed the work very imperfectly. There is now, in addition to the contract, the check of supervision by the county surveyor; but, without any reflection upon the diligence of the county surveyor, I believe it will be conceded that the maintenance of roads might be provided for in a way more advantageous to the community.

At present the large sum of 400,000*l.* is levied off the people by individuals who derive their power independently of the body of tax-payers—individuals nominated by the nominee of the crown, selected annually from among themselves, and who constitutes the grand juries without any inquiry as to qualification, either according to some settled system of rotation conducive to their local interests, or through party views, or the influences of family ties or social friendship. It is not, however, to be inferred that there are not many most honourable, conscientious, and able men on grand juries. I assail but the principle of the system, in which there is nothing to prevent abuse of power and neglect of the public interests. The grand juries are not the representatives of the people; and the first object of my measure is to transfer the management of fiscal affairs

from these bodies to others, constituted by the free votes of the rate-payers apportioned according to the property of each. I propose that these bodies shall be constituted annually, and assemble weekly. I denominate them, in my Bill, "Board of Supervisors," for levying and applying rates for maintaining public roads. At first I proposed that the Board of Public Works should divide the counties into districts; but now, looking to the local arrangements in progress under the Poor-law, and to the necessity of having the same local divisions for all local purposes of a public nature, I propose to adopt the Poor Law unions; but if another district division should be preferred, in order to prevent the possible danger of the Board of Guardians being constituted the Board of Supervisors, I should not object. I also propose to use the same valuations for rating as shall be used by the Poor Law Guardians, and consequently to extend the rates to the same hereditaments as are to be rated for the poor; and I wish to adopt the same rule in determining the number of members of which each board should consist as the Poor Law Commissioners may establish in their unions; but using their electoral divisions only for the elections, there being no end to attain by limiting the rating to these divisions for the maintenance of roads, as there is in rating for paupers and the checking of pauperism. It is further proposed to give to the Board of Public Works for Ireland similar powers and authorities of control and direction over the district boards as the Commissioners of Poor Law have over the Boards of Guardians. This is necessary for the sake of uniformity of system throughout the country, for the sake of insuring economy, and as a preventive against jobbing, and at the same time insuring to the public the certainty of the roads being properly maintained.

The bill then provides that the maintenance of the pre-

sent roads within each district, and the making of such new roads as shall be determined upon for each district, or the portion passing through the district, shall be made under the supervision and inspection of the district board. The bill then specifies the powers for levying the rates, to be thenceforth apportioned on the new districts instead of baronies. The barony divisions are too irregular to become districts for any local purposes : in some counties they appear on the maps like the toys called Chinese puzzles, and in every county they are very unequal in extent.

The county surveyors are to make all necessary surveys and estimates for the improvement and alteration of existing roads, and for the formation of new roads when required ; and it will be also their duty to report to the boards the state of the roads, pointing out the repairs or improvements which appear to be necessary.

When works are to be executed, subject to plans and specifications approved by the Board of Public Works, a time is to be fixed for the execution of the work ; and overseers are to be employed to inspect materials and the progress of the work, making weekly returns to the Board of Supervisors.

The Board of Supervisors may borrow money from individuals or from the Board of Works. The requisite powers for auditing accounts and general management are also contained in the bill.

In England the parishes, and not the counties, contribute to the support of the highways, whilst the counties contribute to the support and repairs of bridges. Let me not be misunderstood that, in referring to the example of England in this respect, I approve of her present faulty system, which will be unsatisfactory until based on the representative principle. The surveyor, however, who has the care of the roads in England, under the control of the justices of the peace, is elected by the parishes at vestry. A skilful person may be appointed by the justices as a district

surveyor for several parishes, but he does not interfere with the levying of the rate in each parish. The importance of having an elective board has been so strongly felt in England, that, in the last act relating to highways, which was passed in 5 & 6 Wm. IV., cap 50, intituled "An Act to consolidate and amend the Laws relating to Highways in that part of Great Britain called England," it is enacted—

"That in any parish where the population, by the then last census, taken from the returns made to parliament, exceeds the number of five thousand, if it shall be determined by a majority of two-thirds of the votes of the vestrymen present at such meeting as aforesaid, to form a board for the superintendence of the highways of the said parish, and for the purpose of carrying the provisions of this act into effect, it shall be lawful for the said vestry to nominate and elect any number of persons, not exceeding twenty nor less than five, being respectively householders, and residing in and assessed to the rate for the relief of the poor of the said parish, and also liable to be rated to the repair of the highways, in the said parish, under and by virtue of this act, to serve the office of surveyors of the highways for the year ensuing; and such persons so to be nominated and elected as such surveyors, or any three of them, shall and are hereby authorised to act as a board, and to be called 'The Board for Repair of the Highways in the parish of . . . .' (as the case may be), and to carry into effect the powers, authorities, and directions in this act contained."

Here, then, the representative principle is acknowledged.

The case of Belgium is still more directly in point. In that happy and flourishing country there are communal assemblies elected by the people, as well as provincial assemblies also elected by the people; the communal assemblies acting under the control of the Minister of Public Works, the Governor of the Province, and in concert with the Provincial assemblies. To the communal assemblies are intrusted the formation and maintenance of local roads.

An Irishman travelling through Belgium cannot refrain from asking himself, why is it that Ireland is wretched

whilst Belgium is flourishing? If he inquires and considers, he will find that the government in Belgium for the time being, whether it be William of Nassau or Leopold the First, takes under its immediate protection and care the agriculture of the country and the interests of the labouring people, and for that purpose there is a Minister of Public Works, whose duty is solely and entirely to ameliorate the condition of the people and to assist them in the making of roads and water communications, in every other local improvement, and in the attainment of every useful public object. He will find moreover that the landlords, whether absentees or residents, are equally attentive to the interests of their tenants; and that by means of this united agency an admirable system of agriculture exists, sustaining a happy, honest, and industrious people.

When in Belgium in the autumn of 1837, I was happy to find that the district boards proposed by the bill which I introduced in the session of 1837 resembled the communal assemblies there. But I cannot satisfy my mind that it would be right to stop here in the reform of the grand jury fiscal system of Ireland, and not follow the advice of the Commissioners of Poor Inquiry, and have also superior fiscal assemblies, with more extended districts, and the utmost powers necessary for general fiscal purposes. I have not introduced a bill for the purpose, merely because I think such a measure ought to be introduced by government—however, principally because the evidence of the House of Commons' Committee of 1835 went more directly to the establishment of district boards; and I am now only endeavouring to carry into effect the recommendations of the committee in the first place, and, next, such of the recommendations of the witnesses as in my opinion may be usefully adopted.

In Belgium there is in each commune—that is, a district varying in population from 1000 to 80,000 inhabitants—a

council elected by the people, a burgomaster, and two aldermen (or sheriffs), nominated by the king out of the council. The council consists of seven members, should the population not exceed 1000, of nine members if the population should exceed 1000 and not exceed 3000; but when it amounts to 3000 the number of the council is eleven; and so it augments with the population, to the number of thirty-one members. The electors are those who contribute to the direct taxes, and reside in the commune from the 1st of January previously to the election, such contributions varying according to the population. The council dissolves every three years, but the members are re-eligible, and the election is held on each 10th of October. To these assemblies are intrusted the management and regulation of the properties belonging to the commune; all gifts that may be made to the commune; all the local taxes and tolls; all the fairs and market tolls; all the roads that pass through the commune; and all the canals and navigable rivers: in fine, the management of all the public affairs of the commune.

The provincial assemblies are elected by the same constituencies as elect the members of the legislature;—the members elected for each province vary from 37 to 64, and each councillor is paid five francs daily, besides his travelling expenses. The councillors assemble in the capital of the province, having the governor as president, and sitting in open assembly, for thirteen days in every month of July. There is always sitting a permanent deputation, consisting of six members chosen out of the council, with whom the communal assemblies are in constant communication; and there may be an extraordinary council called by the King. The council presents to the King the names of the candidates to be councillors of the court of assize, and for the election of President and Vice-President of the Tribunal de Première Instance. The council also names all the provin-

cial officers, and in each year examines and audits the accounts of the province, and prepares the budget of ways and means for the succeeding year ; but all must receive the approbation of the King ; and the accounts of each year are deposited in the archives of both the Houses of Parliament.

The provincial expenses are those of the Courts of Assize and of the Tribunal de Première Instance, of the Tribunal Commerce, of the Justices of the Peace, and of the Police ; also the maintenance of court-houses and their establishments within the province ; of the police and the civil and military prisons of the province ; of the several engineers employed on account of the province ; of the drainages of the province ; the repayment to the communes of the expense of passing paupers from one place to another ; and also the expenses of making out the lists of juries and electors. They further include the maintenance of the cathedral churches, of diocesan schools, of foundlings, and of the several buildings belonging to the province, with a portion of the communal charges for the primary and model schools.

I have inserted in Appendix, No. 5, Abstracts of the Reports of the Provincial Assemblies for the Provinces of Antwerp, Luxembourg, and Namur, for the year 1837. These show in detail the great and important services rendered to the public by the assemblies, and prove that Belgium enjoys a happy system of local government controlled and directed by the executive. These Reports, and the several other Reports of the Provinces of the kingdom, I owe to Sir Hamilton Seymour, our minister at Brussels, for whose kindness in procuring information I am much indebted ; and I also beg thus publicly to express my thanks to Monsieur Nothomb, the Minister of Public Works, for his polite attention.

Belgium, generally, is as populous as the most populous

parts of Ireland; and yet in Belgium emigration is never called for as a relief. The Belgians look to the cultivation of their own soil, converting sandy plains into magnificent fields of corn, clover, turnips, rape, flax, beans, pease, all divided and fenced by timber of great value and beauty. I allude particularly to the Pays de Waes, between Ghent and the Scheldt, at one time a sandy plain; and I confess, in going through this country, and passing through the rich villages of St. Nicholas and Beverin, I could not refrain from exclaiming how unjust the government and the landlords of Ireland have been to her unfortunate but well-deserving people.

Yes, the example of Belgium is important. Let us attempt the experiment of assimilation. The Belgians are Catholics as well as the Irish: Belgium is as Catholic as Ireland: the Catholic priests in Belgium are as influential as in Ireland; in both countries equally respected and revered—zealous, learned, laborious, devoted pastors of their flocks. Belgium has also a Protestant population, a small minority, for which a church establishment is provided; there concord exists; no absurd divisions in society disturb the public peace.

This measure is chiefly founded upon the suggestions of Mr. Griffith in his evidence before the Committee of 1835, and this interesting evidence I have set forth in Appendix No. 1.

I should mention that a bill for the administration of certain civil offices of a local nature by county boards in Ireland was introduced by Sir Richard Musgrave, prepared with great care and skill. It was well received by a large portion of the Irish members, but it did not meet with the support of Government, it being thought advisable that all such propositions should stand over until after the passing of the Poor Law Bill. England and Scotland have obtained corporate reform for their towns; Ireland is about to obtain

the same. If the towns of the United Kingdom are to have councillors elected by the rate-payers for the management of their local affairs, upon what principle can a different system be supported as to counties? They are altogether more populous—there is a greater expenditure of money—there is as much mismanagement as in the corporations. No political objection can arise, as these Boards merely relate to fiscal matters; and care is taken that property which bears the taxation should be properly represented; and no objection can be made by those who supported, or did not oppose, the constitution of the Boards of Guardians. They are both founded on the same just principles, that of giving control to the persons who contribute to the funds to be managed.

#### EIGHTH MEASURE.

In 1823 the Bank of England determined upon lending to a certain extent money on mortgage at 4*l.* per cent. Lord Grenville, in the first instance, doubted the power of the Bank to lend on mortgage, but his scruples were overcome by a very able argument of Mr. Freshfield, the Member for Penryn. The effect upon the landed interest and society in general was instantaneous and most salutary, and the effect was so general throughout the country, and so efficacious, that the Bank was not called upon to advance the sum originally contemplated by them, individuals and public bodies coming forward and offering to lend money on the same and even lower terms. Mr. Huskisson, who at first was a very unwilling convert to the proceeding, soon afterwards admitted that there never was a measure that succeeded better or conferred greater benefits upon the public. But the effect of this measure will be best described by giving Mr. Freshfield's letter to Col. Conolly :—

*“ Upper Wimpole-street, 9th April, 1838.*

“ DEAR SIR,

“ If the information you have requested can be made useful to Ireland, it will afford me the greatest satisfaction.

“ Prior to, and in the year 1823, the utmost inconvenience was experienced by the landed interest in England, from the difficulty, amounting almost to an impossibility, of obtaining the advance of large sums on mortgage, however ample might be the security; and many persons in possession of large unincumbered estates, held in fee simple, were compelled to submit to raise money by way of annuity, or sometimes lenders would consent to advance half on mortgage, provided the other half was received as the purchase money for an equivalent annuity. A minor, but yet serious inconvenience, was experienced by landed proprietors, who had been compelled to accept twenty or thirty loans on mortgage in small sums, some of which were called in by the lenders annually; and the borrower was compelled to obtain other loans for their discharge, in which he found no difficulty, but was subject to a serious annual charge for law expenses upon such transactions.

“ In this state of things the Directors of the Bank of England were pressed to consider the subject upon public grounds, and in the result they determined, about October in that year (1823), to advance money on mortgage to an extent contemplated, without being positively fixed, and with an understanding that the sums should be large, and not such as were usually invested by trustees of marriage, settlements, and frugal persons, who accumulated the excess of their income. The regulations of the Bank were also framed to afford the accommodation to borrowers in a manner the least expensive and the most advantageous.

“ Applications were made to the Bank for loans to a very considerable extent, and great expedition was used in completing the securities; but so entirely were the anticipations of the benefit of the measure realized, that the Bank did not advance to the extent originally contemplated; but the example being established, and the pressure of the demand for loans removed, other capitalists became competitors, and mortgages taken by the Bank at four per cent. interest were paid off by those capitalists, by

means of their advances, at a lower rate of interest. The object of the Bank was accomplished, they never sought the measure as a profitable mode of investment, and they were well satisfied to find the landowner relieved, and to believe that the pressure would not return at any early period ; and they therefore made no alterations in their rate of interest, nor did they make any new advances, except under very special circumstances.

“The benefit experienced in England from the measures before mentioned led to frequent inquiries by Irish landholders, to know whether similar advances would be made upon Irish security, in some instances to pay off incumbrances bearing a high rate of interest, and in others to promote improvements upon the property. The subject was considered, and the directors were advised that, looking to the date of the act under which they derived their power, it was at least doubtful whether they could make advances on mortgage in Ireland ; and the directors also considered that the existence of a national bank in Ireland relieved them from any such duty of interference as they had felt obligatory upon them in England.

Various circumstances brought to my knowledge the immense importance of introducing capital into Ireland, and to the utmost of my power I promoted that object, but I am sorry to say, with very limited success : the principal difficulties were—1st, the habit of making a distinction between English and Irish security, so much to the disadvantage of the latter as almost to amount to an exclusion ; and 2nd, the unsettled, or politically agitated state of Ireland.

Upon the latter point I stated the result of my own experience in the discussion of the Irish Municipal Reform Bill, which you will find deposited in the *Mirror of Parliament*, 14th June, 1836, No. 27, p. 1898 : to that statement I beg to add copies of two letters written by me in 1834, upon the same subject.

The result, in my mind, is, that Ireland suffers from the want of a measure such as the Bank of England adopted in 1823 ; and if an example equally liberal were made, the effect would be equally successful, and numerous capitalists would be ready to invest largely from the moment it was found that Irish security obtained its due weight and consideration in the opinion of monied men. And I ought to add, that some consideration peculiar to the position of

the Bank of England rendered a degree of caution necessary in their advances, not applicable to other public bodies : in other words, that what the Bank did without inconvenience to the institution may be safely and advantageously followed by other banks less restrained by public duties and considerations.

“ I remain, dear Sir,

“ Very truly yours,

(Signed)

“ J. W. FRESHFIELD.”

*Col. Conolly, M. P.,*

*&c. &c. &c.*

The first reflection that occurs upon reading this excellent letter is, how did it happen that, when this advantage was given to the landed proprietors in England, a similar measure was not thought of for Ireland? But after the favourable result in England was obtained, it is most extraordinary that Ireland was then overlooked. If the Bank of England, or the Bank of Ireland, had not the power of advancing money on mortgage in Ireland, surely that power might be given by an Act of Parliament. Can a single distinction, ever so slight, be taken between the two cases? That the power should be given to the Bank of Ireland may be considered by some as more convenient than to the Bank of England, as the issues of the Bank of England may be considered as more directly influencing the exchanges. The charter of the Bank of Ireland has expired, and is only renewed for a year. An opportunity, therefore, occurs of conferring the power on the Bank of Ireland. The exchanges have been, until very lately, in our favour, and are not now much, if at all, against us; and there is a large accumulation of gold in the coffers of the Bank of England. The legal rate of interest in Ireland is 6*l.* per cent., and is generally paid on all old loans, and even many new loans; and the lowest rate is 5*l.* per cent., whilst the highest rate in England is 4*l.* There have been mortgages effected at 3*l.* 10*s.* in England. Why should there be this disparity? I believe it will not be de-

nied that the interest on Irish mortgages is as regularly paid as on English securities ; and Ireland possesses the great advantages of a registry. The reduction of interest from 6*l.* or 5*l.* per cent. to 4*l.* would enable Irish proprietors to make improvements on their estates, employ the people, and avert much of the burden which, without an extension of employment, must be imposed by the poor-rates.

Other and signal advantages would also arise. In most instances the land-proprietors are indebted, in sums not large, to several individuals by judgment (the general method of borrowing money in Ireland) : the money borrowed on mortgage of the Bank would be applied in payment of these sums, and which, when received, would be applied to commercial or agricultural purposes, still further increasing the means of employment ; and, from the inability of the landlords to pay their creditors, much capital is now withheld from use. It would also have, to a considerable extent, the good effect of putting an end to that destructive system of borrowing by judgment, constant harassing of tenants by means of several elegits issued against the same lands. That useful act, introduced by the present Master of the Rolls, of granting receivers in cases of custodiams, has had a considerable effect in bringing about this desirable object ; and the provisions of the Imprisonment for Debt Bill, passed last session, when extended to Ireland, will, I trust, also operate beneficially in this respect.

The measure I now propose must, of course, proceed from Government ; and if it be objected to as an undue interference with the money-market, my answer is, that the same objection was made in 1823 to the loans of the Bank of England, which had no injurious effect on the money-market. But how can it be an interference with the money-market ? It is rather opening a new mart for capital. There is a large amount of Irish capital at this moment in the funds ; there

is a redundancy of money in England, the Three per Cents. bearing a price of 92*l.* and upwards, and Exchequer Bills a premium of 68*s.* and 70*s.* Only let confidence be inspired, by the lending on mortgage by the Bank, and individual capitalists in England and Ireland will come forward, and be anxious to obtain those mortgages, as was the case in England.

#### NINTH MEASURE.

I have frequently referred to the Board of Public Works in Ireland, as an essential and important part of the machinery to be used for securing employment to the people. This board was formed in the year 1831, under the Act 1 & 2 Will. IV., cap. 33, a most important measure, introduced and carried through Parliament by the present Chancellor of the Exchequer, and for which Ireland is much indebted to him. It has been attended with signal success; but its duties have been since largely augmented; and to render it capable of carrying out the measures now proposed for Irish improvement, its organization should be more comprehensive: it should be in Ireland what the Minister of Public Works is in Belgium.

On the formation of this board a sum of 500,000*l.* was placed at its disposal, to be lent for public works and other useful objects, and to individuals for the drainage and other improvement of lands. These loans have been of the greatest service to the country; an actual profit of interest, to the amount of 2016*l.* 10*s.* 2*d.*, has been realized; and it appears, by the evidence of Sir J. F. Burgoyne before the committee of 1835, that not a single loss has been sustained. Of the 500,000*l.*, however, a sum of 46,000*l.* has been advanced, under the authority of a subsequent act, to the Irish Ecclesiastical Commissioners, which ought to be repaid. One of the recommendations of the committee of 1835 was, that another 500,000*l.* should be placed at the disposal of

the board for similar loans to those contemplated by the 1 & 2 Will. IV., but only a sum of 100,000*l.* has been supplied; and of these two sums of 500,000*l.* and 100,000*l.*, and the Exchequer Bills reissuable, only 93,022*l.*, with the prospect of an annual receipt of about 40,000*l.* in respect of the loans already made, constitute the present loan-fund under the control and management of the board. It is evident that this is not a sufficient sum to answer all the applications to be made, particularly if those measures which I have suggested should be carried into effect. I do therefore trust that this fund will be largely augmented and at least, to the sum recommended by the committee of 1835; and I have the less difficulty in asking for this further advance on profitable security, when I find that nearly five millions have been advanced in England for similar purposes since the year 1817.

Some recommendations of the committee of 1835 have been carried into effect by the Act 6 & 7 Will. IV., cap. 108, the chief object of which was, giving to the Treasury the power of enlarging the time of payment of principal and interest, and also to reduce the interest at the discretion of the Treasury, but not to a rate less than 10*s.* per cent. per annum above Exchequer Bill interest. The rate of interest fixed by the Act of the 1 & 2 Will. IV. is 4*l.* per cent. for advances to grand juries, companies, and commissioners and trustees for public works, and 5*l.* per cent. on advances to individuals. It is clear that in no case ought the rate to be more than 10*s.* above Exchequer Bill interest; and the more particularly as the interest in England is already reduced to 4*l.* per cent., and in some cases even less. The repayment by grand juries is fixed at twelve instalments. The time of repayment in respect of public works in the hands of commissioners or trustees is twenty-five years, that is, 4*l.* per cent. on the principal: so that there is an annual

payment of 8*l.* per cent. required. This is too strict, and therefore many useful works are excluded, and which would be let in if the annual payment was reduced to 6*l.* per cent., that is, 3*l.* 10*s.* for interest, and 2*l.* 10*s.* for repayment of principal. Of what consequence is it whether the principal be repaid to the state in twenty-five or thirty years? The cases detailed in the evidence before the committee of 1835, of the canal proposed between the town of Roscommon and the Shannon, and the junction of the sea with Lough Corrib at Galway (a distance of half a mile only), are directly in point, and show what useful works are excluded. I admit, however, that public works capable of yielding 8*l.* per cent. should be preferred; but, by the Act, the Commissioners have no discretion. Again, in respect of loans to individuals, the repayment of principal must take place within three years from the completion of the work, or seven years from the actual advance. Now this might be made much lighter, by extending the period to seven years from the completion of the work, or ten years from its commencement: for, until the work is actually completed, the means of repayment will not be afforded to the individuals out of this particular property.

Not more than a few loans have been made to individuals, owing to the expense and trouble of investigating the title, and of making the proper searches; yet there is great difficulty in diminishing these expenses: the encumbered state of the property frequently prevents a sufficient security being given, which is much to be lamented, not only on account of the great benefit arising to the public and individuals on account of these improvements, and the necessary expenditure that would follow by the consequent cultivation of the lands, but also because these improvements must always be better and more judiciously effected under the superintendence and care of the Board of Works, who

not only require a proper engineer to be employed, but from time to time, and before they make any payments of money, send down their own engineer. It is therefore to be hoped that mortgagees and encumbrancers will see their own interest in giving priority to loans made by the Board of Works for the improvement of the property, at least over a portion of the lands, as thereby their security is increased, at the same time that the estate is improved. Then the Board of Works might be authorized to lend money on estates although encumbered, if satisfied of the value and sufficiency of the security eventually ; if default was made in payment of the instalments or interests, facilities might be given to them of appointing a receiver in a summary way, for the purpose of applying the surplus rents in liquidation of their demand. At the same time I admit that, regard being had to the public, and to those who are or would be willing and able to pay, too much caution cannot be taken by the Board and Treasury.

On the principle of the Scotch system, and which works so well in Scotland, 50,000*l.* was placed at the disposal of the Board of Works by the Act of 1 & 2 Will. IV., cap. 33, to be applied as moiety grants for the making of roads and bridges, and the making of small harbours on the sea-coast. The whole of the 50,000*l.* has been so applied, and never was money better applied. The revenue has thereby been increased to a great extent, not only directly but indirectly, by the suppression of illicit distillation, and social happiness has been acquired and imparted. After considerable importunity, and in pursuance of the recommendation of the Committee of 1835, another sum of 50,000*l.* was, by the Act of 1 Victoria, placed at the disposal of the Board for the same purposes. Of this, 13,350*l.* only remains ; but I am happy to say that another 50,000*l.* was, by an act of the last session, also given to the Board for the same purposes ;

and this may also be applied under the Act of 6 & 7 Will. IV., in moiety grants for the erection of small harbours and quays on rivers and lakes.

Looking at it as a mere profitable outlay, by giving to the state an increased revenue, the object is eminently attained; but it must also be considered in another and still more important point of view—the amelioration of the condition of the people. It is, in fact, a serious duty imposed upon parliament to provide for the internal communication of the country; and it has been admitted by Sir Robert Peel, that, for the construction of roads and bridges, and for opening communications which would not otherwise be made, grants to the extent of one moiety may safely be made. We cannot expect lands to be cultivated when there are no means of transporting the produce or carrying manure. It is an absurdity to talk of the reclamation or cultivation of lands, if we do not afford the means of carriage and transportation of the produce. Every facility, therefore, should be given to the transportation of agricultural produce;—these, at the same time, would serve as inlets for English manufactures;—and, where necessary, roads and bridges should be made and maintained, and inland navigation improved and facilitated. Happily, by the very means we take to increase the agriculture of the country, and thereby afford permanent employment for the people, we are at the same time affording temporary employment; such employment being not only most salutary, by improving the condition of the people, but legitimate also, by leading to continuous demand for labour. When compelled by severe distress some years since, and assisted by English charity, roads were made in Ireland, in the west and southern districts, and what is the consequence? Land, that never yielded crops before, now yields the finest oats imported in the London market; places which yielded

no revenue, now yield a considerable one. The witnesses before the committees declare that the whole amount of these grants has been long since returned to Government by means of the increased revenue. The grants, amounting to 87,000*l.* under the two acts, have caused an expenditure of 174,000*l.* in those parts of the country where employment was most required, and the whole is expended in labour.

It is the opinion of Sir J. F. Burgoyne that the entire expense of roads in the wild parts of the country should be borne by government, and his reasons are good and solid; but I fear we should not be able to procure the assent of the government to that extent. I am satisfied with the present system of one moiety being granted; and I should even go farther, and, to induce a larger expenditure, I should propose that, for the making of new roads in the wild and uncultivated parts of the country, one-third should be given by government, one-third by the county, and one-third by the proprietors through whose properties the roads run, and who may derive great benefit from it; and I should give to all tenants for life, and other incapacitated persons, the power of raising the one-third as contained in the act of 1 & 2 Wm. IV., and give priority to that charge, as in the same act. A discretion should, however, be placed in the Board of Works and Treasury, not to require the one-third from the proprietors in those cases where property might not be benefited to any great degree.

By the act of the 1st Victoria, power is given to three justices of the peace to call a meeting of the magistrates and the associated cess-payers to apply to the Lord Lieutenant for the construction of a public work, and upon the terms provided in the act, of the repayment of one moiety of the expense; and the Lord Lieutenant, if he think proper, is empowered to refer the matter to the Board of Works to inquire into the same; and

if approved of by the board, they are, having obtained the sanction of the Treasury, to carry the works into effect, one moiety of the expense to be met by a moiety grant, and the other moiety to be repaid to the commissioners by grand jury presentment. At present all operations under this beneficial Act are suspended. This power I would give to the district boards, so far as respects roads and bridges, upon application to the Board of Works at once; and where the board might consider a road useful, and think proper to give one-half or one-third, I would make it compulsory on the grand juries, or fiscal or district board, and the proprietors to subscribe the other half, or two-thirds.

The Commissioners of Public Works make the following impressive observations in their last annual report:—

“ Having alluded to the proposed introduction of a Poor Law in Ireland, we beg to submit, that whatever may be the particular nature of the provisions adopted, a prodigious change in the whole social system of the country must be the consequence, the entire effects of which it is difficult to calculate.

“ We apprehend, however, that nothing could tend so effectively to aid its quiet introduction, to give time to proceed gradually, and to amend the defects that, in the first instance, must reasonably be expected in so great a measure, as the organization of extensive operations demanding ordinary labour, previous to the law coming into force, in order that it should find the working classes fully occupied by such proceedings, the demands of the provisions made for the poor would be on the smallest scale for some time, and would continue so until the new system would be under tolerable regulation.

“ It is manifest that this object cannot be effected without extensive support from the legislature and active operations directed by the Government. If, therefore, such a law is to be passed during this session, and this view be approved and sanctioned, there is no time to be lost in providing for the necessary public works.”

The necessity of enlarging the powers and increasing the efficiency of the Board of Public Work is, I submit, ap-

parent and manifest ; and it is suggested that Government should introduce a bill for that purpose, and place at its disposal large and sufficient funds. The districts of Galway, Mayo, Clare, Donegal, Limerick, and Cork stand in the greatest need of lines of roads for unfolding the resources of these counties. The evidence of Sir John Burgoyne is so important and decisive, that I have given extracts from it in Appendix, No. 7. The improvement of the Shannon will, I trust, be provided for during the session, and will give to Ireland a continuous river navigation of two hundred miles. The rivers Suck, Boyne, Suir, Blackwater, Brusna, and several others, and the lakes Erne, Neagh, and Corrib may all be rendered perfectly navigable, but which are now in a state disgraceful alike to the government and the proprietors of their banks.

#### PUBLIC AID WITHDRAWN.

I must here complain that while Ireland stands so much in necessity, and offers so many means of profitably applying public money in public improvements, she has been deprived of a grant for fishery piers made annually under the act 5 Geo. IV., cap. 64 (3,000*l.* Irish), while Scotland still receives, under the same act, 3,000*l.* a year (British) for these purposes. On the 5th April, 1830, the Irish fisheries establishment and fishery fund were abolished. Until the present hour the Scottish fisheries establishment is maintained out of the public revenue at a cost of about *ten thousand* a-year, and the 3,000*l.* is also paid annually out of the revenue for Scottish harbours and the repairs of poor fishermen's boats. I refer in proof to the report of the Irish Fisheries Inquiry Commissioners of 1836 ; and I give in Appendix, No. 8, the recommendations of that Report, on which a bill was introduced in 1838, and which, in an amended state, it is hoped, will be again brought before Parliament.

I have now stated my case for the employment of the labouring people of Ireland. In it I have assumed nothing, but have relied upon the reports of the several parliamentary committees, of several commissioners and engineers, and the impartial evidence of able men ; and, if I have not referred specifically on each matter to these authorities, it was through fear of being tedious. I may, however, in particular, appeal to the recommendations of the committee of 1819, of which our venerable countryman, Sir John Newport, was chairman. Can I have higher support ? I am therefore entitled, on behalf of Ireland, to call upon the Government and the legislature to give these suggestions a fair and attentive consideration, and not to refuse these necessary adjuncts to the Poor Law. Employment will not only be afforded, and, by the tranquillity and confidence which will be inspired, way made for the flow of capital, but also, by the objects upon which this employment will be bestowed, new sources of industry will be opened ; and then, in the words of the committee of 1830, “ You will be creating an active demand for labour and industry even after the termination of the works.” By bringing the wastes into cultivation, we can diminish the pressure on land, and thus break up the densely-populated Cottier Settlements : we can abate those fatal contentions among the peasantry occasioned by competition ; the present severe competition will cease ; savage murders (such a disgrace to our unhappy country) will no longer be heard of, (almost every one of which may be traced to dispossession of tenants) ; and the landlord will acquire the absolute dominion over his property, which, in some districts, it cannot be said he has at present. In several places population is so dense that there is a scarcity of cultivated land ; but, at the distance of a mile, there are thousands of acres capable of reclamation and cultivation.

By reclamation and introducing a system of cultivation, and the consequent employment of the people, the bit of land to the poor man will not be his only resource: at present, without a provision against destitution or employment, he must have it or he will perish. Consider the situation of a labouring man without employment ejected from his cabin and thrown with wife and children upon the road-side! Give that man employment, locate him on the waste land, and all this misery will be saved. Besides, without continuous employment, coupled with the Poor Law, you cannot hope to have in Ireland labourers distinct from occupiers, as in England; and this is one of the desirable objects to be obtained.

The people ask and supplicate for employment. This is not an unreasonable, but, a natural demand. They travel hundreds of miles in search of employment. There does not exist a people on earth so eager for it, or more anxious to fulfil their engagements and pay their rents. Surely such materials ought not to be thrown away.

The labouring man is not compensated in Ireland for his labour: 6*d.* or 8*d.* a-day is not a sufficient remuneration, nor sufficient for the support of himself and family. You cannot expect a man, subsisting, together with his family, on 3*s.* or 4*s.* a-week, to work as he ought if properly remunerated and fed. Let the lands be properly cultivated—the produce will be increased, the demand for labour increased, the rate of wages increased, the condition of the labouring man raised, his comforts enlarged, and he will be enabled to retain a portion of the produce for his own consumption. Let us not permit him to be content with the lumper potato.

No one can doubt but that Ireland has progressed, notwithstanding the neglect of the legislature and the neglect of her landlords; but the condition of the poor man remains the

same, if not deteriorated : his having recourse to the lowest description of potato shows this too truly.

By raising the condition of the labouring class you will raise the condition of every class above them ; and you will greatly increase the local trade, and give more and better customers to the shopkeepers and tradesmen in towns : for, after all, it is by the multitude the tradesman supports himself, and you are thereby creating a better market for the consumption of the produce.

I have already endeavoured to show that the supply of Irish labour in Great Britain is essential to its wants ; but should it be found redundant, the only way in which it can be stopped is by affording employment at home. Let employment be afforded to the poor in Ireland, and the most timid need not fear their interference with the English market of labour.

It is a mistake to say that rents are higher in Ireland than in England, except it be in reference to what is extracted from the soil : the Irish acre is one-third larger than the English, and the soil is generally more fertile, but the course of husbandry is so bad, that not more than one-fourth is obtained of what ought to be acquired from the soil ; and wages are so low, that nothing is left to the poor man but the potato. Let the land be cultivated as it ought—let the people be thereby employed—the landlord will not receive less rent, but the farmer will receive more produce, and the labourer more wages. The landlord, instead of a nominal rental, will have a substantial one ; and, instead of a starving, he will have a thriving tenantry. 6*l.* or 8*l.* per acre is given, but not upon lettings between landlord and tenant, but for what is called *con acre*, that is, for the hire of an acre of ground for one year, manured, ready for the potato to be planted, or for liberty given to burn and pare the acre of land to supply the place of manure, and the land is afterwards left to nature. In

some parts this is so destructive, that the land does not recover for twenty years. Can any system (I will not call it management) of treating the land be so mischievous? And why are these extraordinary rents given for destroying the land? For want of a sufficient quantity of cultivated land, and for want of the means of transporting the manure given by Providence. It is in evidence before some of the Parliamentary Committees, that the peasantry frequently carry sea-weed and sand upon their backs for miles.

The happy result of these measures will, I confidently hope, be a better administration and execution of the law—the suppression of illicit distillation—an increased revenue—a reduction of the military and police—an increased demand for English manufactures—the raising the condition of the labouring man, the amelioration of the habits of the people, their physical, moral, and social improvement, the tranquillity and peace of the country. I ask not for bounties, or any peculiar privileges; I ask for no grant, except contribution for the making of roads or water communication, matters of public concern and convenience. I ask for no expensive or complicated machinery—no undue interference with private property.

These measures, as I have already said, are applicable to every part of Ireland; and they partake not of the disadvantages sometimes attendant upon a public work, of calling together, at one particular spot, from every part of the country, numbers of labourers, who, after the work is completed, are again unoccupied.

We are at present suffering from dearth, which extends to all Europe; and we feel this the more in consequence of the neglect of our territory. The real evil is, that our home production is in the best years narrowed to home supply—and, to what is still worse, a little more than a year's supply. For this, the best remedy is to be found in

such an extension of our husbandry as will enable us, if possible, to include agricultural produce in the general exports every year ; and there is nothing to prevent the augmentation which we cannot remove. In reference to the United Kingdom, we have territory, labour, capital, and just as much time to enlarge our operations as is available to other countries.

One of the inducements held out to the people of Ireland, at the time of the Union, was, that English capital would flow into Ireland. Has that been the case? What step has been taken to induce capitalists to send their money into Ireland, until the granting of emancipation in 1829, and the passing of the Poor Law in 1838? Without these two measures it might be said that nothing effectual could be done for the raising the condition of the Irish peasant. Both these measures are now happily carried.

The alteration in the law as to forty-shilling freeholds and sub-letting has produced great misery. The law allowed the creation of forty-shilling freeholds. The political ambition of the landlords created them without stint or limit. The mistaken notion of the landlords, of increasing their income by such means, induced them also to do so. Without a Poor Law, and means devised for employment, their disfranchisement was unwise and oppressive. Again, by the decisions of the courts of law, (most unwarrantable decisions, I admit,) all covenants against sub-letting were set at nought. A bill was passed to prevent this great evil in Ireland, and restore the ancient and correct law. It was a necessary measure ; but the effect of these two Acts was to throw thousands of people from their habitations on the roadside. Listen to the description given by Dr. Doyle of these unfortunate creatures:—

“ It would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced,

or of the disease, misery, and even vice, which they have propagated in the towns wherein they have settled; so that not only they who have been ejected have been rendered miserable, but they have carried with them and propagated that misery. They have increased the stock of labour—they have rendered the habitations of those who received them more crowded—they have given occasion to the dissemination of disease—they have been obliged to resort to theft and all manner of vice and iniquity to procure subsistence; but, what is perhaps the most painful of all, a vast number of them have perished of want.”

Ejectments from political causes have to some extent taken place, and have produced great misery.

The consolidation of farms has also produced great misery. The inhabitants of entire villages have been ejected, to the great detriment of the neighbouring lands. But let me not be misunderstood, or considered an advocate for small holdings. What I think is, that the consolidation system is carried too far in England, and the farms in England are too large; whilst in Ireland the holdings are too small. But such a system having been adopted and permitted, and in some instances encouraged, it cannot be got rid of at once; and happily we have the means of turning it to good account, by following the system and example of Belgium, by the improvement of our agriculture and the reclamation of our lands.

Mr. Nicholls, in his Third Report, says—

“ It is not necessary to enter into a consideration of the comparative merits of small and large farms, it being notorious that farms of very small extent abound in all parts of Ireland, in some districts, indeed, almost to the exclusion of any other; and that any attempt at a rapid consolidation of these small holdings would inevitably produce misery and suffering for which no adequate remedy has ever yet been devised. Extensive changes of this nature cannot be successfully undertaken without special reference to the moral and social condition of the people; and the obstructions which arise from fixed habits and old social ar-

rangements generally render great organic changes impossible, excepting in the lapse of years. But an improved management of the small farms in Ireland would afford the means of increasing the domestic comfort and elevating the social condition of the cottier tenantry, and would facilitate the progress of whatever other changes may be regarded as likely to promote their general well-being, because it will be accompanied by an improvement in the habits of the whole class. This would, in fact, be beginning at the lowest point of the scale. Improved management in the small farms would bring increase of capital and improved habits among the cottier tenants. With the increase of capital will come the desire to extend their holdings; and thus will arise a tendency to consolidate occupancies for the employment of increased capital, which the vast extent of now waste but reclaimable land in Ireland will greatly facilitate. An increase of agricultural capital will speedily act upon all the other sources of industry, and thus the demands of the home-market for agricultural produce will be augmented, while for all that is produced above that demand the markets of England will be open. To begin with the improvement of the small cultivators seems, therefore, to be necessarily the first step towards ameliorating the condition of the Irish people; and the example of Belgium is important, as showing what may be done in this respect by adopting an improved system of cultivation ”

I may also appeal to Piedmont, where the farms are small and the people thriving; and I do so with the more confidence, as Piedmont is also a Catholic country. I must here, once more, call attention to the account of the small farm near Dublin, managed by Mr. Kelly, and to the magnificent project of Count Lodi, in Piedmont, as detailed in the Appendix to my last Address. But it is not necessary to travel out of Ireland. Look at the county of Down: in no part of Ireland are the holdings smaller, and yet no part is more thriving. Land fetches upwards of thirty years' purchase in Down, whilst in Mayo and Galway—except some favoured spots near towns—the rate of purchase does not exceed twenty years.

It should not be forgotten that a surplus Irish revenue was contemplated by the Act of Union for the improvement of Ireland. But enough has already been said to induce the Government and the Legislature to interfere on behalf of the labouring class in Ireland. Let example be taken from France and Belgium: let the speeches of the kings of both these countries, at the opening of their respective parliaments last year, be read: a large portion of each was dedicated to recommendations as to agriculture, the improvement of the soil, and public works on a large scale. The Grand Sultan has, at his own expense, undertaken a great national work. The Grand Duke of Tuscany is making great efforts in the Maremma. To this day the Dutch continue to lay out millions on public works; but I ask for no such expenditure. Except for the making of roads and water communication, I ask for no pecuniary grant; and even in those cases I only ask for a contribution on behalf of the public, whose roads and communications they are. This is not a party question: it will be treated, I hope, as the Poor Law question has been—free from political and party animosities. From the evidence of the Knight of Kerry before the committee of 1835, and the interesting account which he gave, it would appear as if the Duke of Wellington contemplated, at the time of passing the Emancipation Bill, some measures for the purpose of affording employment in Ireland. Judging from the ready manner Sir Robert Peel granted the committee of 1835, and the assistance I received from him and Sir Thomas Freemantle, the Secretary of the Treasury—judging also from the active part Lord Stanley, as Secretary for Ireland, took with the Chancellor of the Exchequer in passing the Public Works Act in 1831, and his attention to the bills I have introduced, I expect the measures I have suggested will be favourably received by all parties. Fully relying on the good intentions of Lord

Melbourne, Lord John Russell, Lord Morpeth, and the other members of the Cabinet, I trust to obtain for these projects their earnest attention, which they are ever ready to devote to measures for improving the condition of Ireland; and finding it impracticable, in the present state of Parliament, for an individual member to pass measures of this description, although recommended by a committee of the House, I now place them in their hands. In so doing, after the efforts I have already made, I trust I may be considered as having fulfilled the duty which devolved on me as Chairman of the Committee of 1835.

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## APPENDIX, No. 1.

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OUTLINE of a PLAN for defraying the EXPENSES of Employing the DESTITUTE POOR of the Country Parts of IRELAND, without increasing the present Assessment on Land.

It would certainly be very desirable that the whole of the money granted for repairing baronial roads should be expended in the employment of the destitute poor, and this can be effected by intrusting the expenditure of the money for each barony to local committees, according to the following system :—

It is to be observed that the poor population of Ireland, even in the comparatively manufacturing districts of the province of Ulster, may be classed under the head of agricultural labourers, and such are very rarely left destitute and without employment, excepting in the months of January, February, and part of March in the spring, and part of June and the whole of July in the summer season. At those periods there is little employment for agricultural labourers, and I am of opinion that in those particular months, and in those only, it is necessary to provide employment.

It appears that an ample field for the general occupation of the poor, when most required, will be found in the repairs of the roads at present kept up by grand jury presentments. This species of employment affords a greater variety of labour than other ; and individuals of both sexes, from the youngest to the oldest, can have suitable tasks allotted to them. Women and even cripples can break stones for roads, and, when accustomed to it, can earn good wages, at the usual prices paid for breaking.

The sum to be expended in any particular barony having been ascertained, and the particular works to be executed specified in detail by a county surveyor or baronial overseer, the barony should be divided into several districts, according to its extent and pecu-

liar circumstances ; the principal town or village (being as nearly as possible in the centre of each district) to be the meeting place of the district committee, who shall have power to appoint sub-committees to act under its direction.

The Protestant and Roman Catholic clergymen, and (in the province of Ulster) the Presbyterian clergymen, and the churchwardens of the several parishes within the district to be members of the district committee: the other members to consist of the landed proprietors, their agents, and principal farmers and shopkeepers of the towns and villages, to be elected by the rate-payers to a certain amount. The district committee to consist of at least seven, and not more than eleven members; three to form a quorum ; and the sub-committees to consist of not less than three nor more than seven members; three to form a quorum.

Weekly returns, containing the names of persons employed, showing the nature of the work performed and the sums paid to each individual, to be made out by the overseer of the sub-committee, and having been examined and certified by the sub-committee, to be forwarded to the clerk of the district committee. All repairs and new works should be specified and laid out by the baronial overseer, who is frequently to examine the works during the progress, and to make monthly reports, accompanied by a valuation of the quantity of work done in each district, and stating the manner in which each particular part has been executed; this report, when compared with the expenditure shown by the weekly returns, will afford a complete check on the sub-committees and their overseers.

It appears from a table made by me, and presented to the Tithe Committee of the House of Commons in the year 1832, that the amount annually levied in Ireland for making and repairing roads, is about £360,000 ; that the extent of Ireland is 20,400,000 British statute acres, which is, on an average, equal to  $4\frac{1}{4}d.$  nearly per acre.

Let us suppose that in the four months above mentioned, viz., January, February, half of March, half June and all July, there would be (exclusive of Sundays and wet days) 94 working days.

If we divide £360,000, the amount of the presentments, by 94, we have as a product nearly the sum of £3,830 to be expended per day, which sum, at 8d., the usual wages paid to farming labourers in Ireland, would give nearly 115,000 as the number of pauper individuals who might be daily employed in repairing the roads for four months in the year. The population of Ireland, according to census of 1831, deducting therefrom the cities of Dublin, Cork, Limerick, Waterford, Kilkenny, Drogheda, Londonderry, and town of Belfast, amounts to 7,225,340, which would give about 1,445,000 men capable of labour, calculating one labourer for every five individuals, out of which it appears 115,000, or a little more than one-twelfth part of the whole population of Ireland capable of labour, could be employed during the period above mentioned, without increasing the present assessment on land; and throughout a great portion of Ireland, I am of opinion that the pauper population does not exceed one-twelfth part of its inhabitants.

*Fitzwilliam Place, Dublin,*  
14th March, 1833.

RICHARD GRIFFITH.

## APPENDIX, No. 2.

GROSS RECEIPTS OF EXCISE DUTIES IN ENGLAND, SCOTLAND,  
and IRELAND, in Six Years preceding 1835.

| Years. | England and<br>Wales. | Scotland. | Ireland.  |
|--------|-----------------------|-----------|-----------|
|        | £.                    | £.        | £.        |
| 1829   | 18,243,929            | 2,770,110 | 2,016,242 |
| 1830   | 17,420,714            | 2,960,306 | 1,973,856 |
| 1831*  | 14,323,298            | 2,576,965 | 2,193,079 |
| 1832†  | 14,370,008            | 2,280,728 | 2,198,759 |
| 1833   | 14,287,488            | 2,419,234 | 1,951,314 |
| 1834‡  | 12,303,650            | 2,477,734 | 1,975,331 |

\* The excise revenue of 1831 is under the produce of 1830; as in 1830 the beer and cider duties of England and Scotland, and the leather tax of the United Kingdom, were repealed.

† The revenue of 1832 exhibits an increase over 1831, except in Scotland, notwithstanding the repeal in 1831 of the tax on printed cottons of England and Scotland, and the repeal of the candle duty in 1832.

‡ The revenue of 1834 is under that of 1833, in consequence of the transfer of the tea duties from the excise department to the customs, and also of the repeal of the duty, till then payable, on starch, in England and Scotland.

DEDUCTIONS from the preceding Table, in reference to the Commercial circumstances of Ireland as contrasted with England and Scotland.

The population of England and Wales in 1831, the period of the last census, having been 13,889,675, and there having been there, in 1835, 79,181 dealers in tea, which is now consumed by all classes in the United Kingdom capable of purchasing it,—Ireland, to be on a parity of condition with England in this respect, should have had, in 1835, 47,000 dealers in tea instead of 12,203, her population in 1831 having been 7,734,365.

The population of Scotland having been in 1831 only 2,365,930, a little more than one-sixth of the population in England, while the dealers in tea licensed there in 1835 amounted to 13,596,

a little more than one-sixth of the number in England and Wales,—it follows, that Scotland in this respect maintains a parity of condition with England; and that the trade in tea is a fair test of the circumstances of the population in the United Kingdom.

It might happen that the 12,203 dealers in Ireland sell more tea than the 13,596 in Scotland, and that the consumption still bears a just proportion to the population in each country. This cannot be positively determined by items in the public accounts, it being impossible to show at present in what portion of the United Kingdom the teas are consumed after the customs duties have been paid. However, the number of dealers is a strong indication of the extent of a trade; and to support it in this case there are the preceding amounts of excise revenue collected in Ireland and in Scotland. The excise taxes of the two countries are now precisely similar, except that soap and bricks are taxed in Scotland but not in Ireland. The soap duty of Scotland produced in 1834 £92,248, and the brick duty £8,100—in all, £100,348; which, deducted from the whole revenue, leaves £2,377,386 collected on articles also taxed in Ireland with precisely similar rates, while the Irish revenue from these articles amounted to only £1,975,331; whereas were trade and the consumption in proportion to the population, and the country on equality of condition with Scotland, the Irish revenue would have been nearly £8,000,000,

Scotland certainly derived some revenue from paper and glass consumed out of it, and sent away after payment of the duties; but the whole produce of the Scottish excise on these articles was in 1834 considerably under £200,000. The heavy excise duties paid in the United Kingdom are levied where the articles are going into trade and use.

Thus Ireland's disparity of condition, as compared with Scotland, is such that her excise is £6,000,000 a-year under the amount she would be capable of paying if her population were in equal circumstances with the Scottish population.

(Signed)

W. STANLEY.

1st June, 1837.

## APPENDIX, No. 3.

| DISTRICTS.                                                                    | COUNTIES.                                           | Extent in<br>English<br>Acres. |
|-------------------------------------------------------------------------------|-----------------------------------------------------|--------------------------------|
| Eastern part of Bog of Allen . . . .                                          | Kildare . . . . .                                   | 36,430                         |
| Western part of Bog of Allen, called<br>District of the Barrow.               | King and Queen's County .                           | 41,075                         |
| District of the Boyne . . . . .                                               | Meath and Westmeath. .                              | 42,370                         |
| District of the Brusna . . . . .                                              | King's County . . . . .                             | 44,594                         |
| District of the Shannon . . . . .                                             | Westmeath, Longford, and<br>King's County.          | 34,500                         |
| District of the Inny and Lough Ree .                                          | Longford and Westmeath .                            | 34,569                         |
| District of Lough Gara . . . . .                                              | Roscommon, Sligo, Mayo .                            | 83,689                         |
| District between Roscrea and Killynaule                                       | Tipperary, Kilkenny, and<br>Queen's County.         | 36,025                         |
| District westward of Maryborough . .                                          | Queen's County . . . . .                            | 14,754                         |
| District of western extremity of the<br>county of Clare.                      | Clare . . . . .                                     | 22,340                         |
| District of Banks of the Barrow . .                                           | Kildare and King's County                           | 7,459                          |
| District of Lough Corrib . . . . .                                            | Galway and Mayo . . . .                             | 83,724                         |
| Three districts . . . . .                                                     | Mayo and Sligo . . . . .                            | 161,962                        |
| District surrounding Lough Neagh and<br>extending to the River Bann.          | Antrim, Down, Tyrone, Ar-<br>magh, and Londonderry. | 64,855                         |
| District of Iveragh . . . . .                                                 | Kerry. . . . .                                      | 43,567                         |
| District of Kenmare River . . . . .                                           | Kerry. . . . .                                      | 14,605                         |
| District of Laune and Lower Maine .                                           | Kerry. . . . .                                      | 17,990                         |
| District of Upper Maine . . . . .                                             | Kerry. . . . .                                      | 8,566                          |
| District of Slieve Langhar . . . . .                                          | Kerry and Cork . . . . .                            | 32,902                         |
| District of River Cashen . . . . .                                            | Kerry (northern part of) .                          | 31,514                         |
| District of Lough Ree . . . . .                                               | Longford, Leitrim, and Ros-<br>common.              | 26,630                         |
| District of southern extremity of River<br>Suck.                              | Galway and Roscommon .                              | 76,848                         |
| District of northern extremity of River<br>Suck.                              | Galway and Roscommon .                              | 52,390                         |
| Mountain bogs and bogs less than 500<br>acres not included in the reports . . | Kerry, Sligo, Galway, and<br>Wicklow, &c.           | 1,013,358<br>1,816,642         |
|                                                                               |                                                     | 2,830,000                      |

## APPENDIX, No. 3.

| Cost of Drainage. |    |    | Elevation<br>above the sea<br>at low water. |                  | Greatest<br>Depth. | Average<br>Depth. | Rivers and Lakes into which it is<br>proposed to drain the bogs. |
|-------------------|----|----|---------------------------------------------|------------------|--------------------|-------------------|------------------------------------------------------------------|
|                   |    |    | Greatest<br>Height.                         | Least<br>Height. |                    |                   |                                                                  |
| £.                | s. | d. | Feet.                                       | Feet.            | Ft.                | Feet.             |                                                                  |
| 77,017            | 19 | 8  | 312                                         | 228              | 41                 | 22 to 25          | Feagile and other streams that fall<br>into the Barrow.          |
| 66,978            | 8  | 8  | 329                                         | 203              | 41                 | 22 to 25          | Ditto.                                                           |
| 75,065            | 6  | 7  | 350                                         | 232              | 40                 | 22 to 25          | Streams which discharge into the<br>Boyne.                       |
| 87,233            | 13 | 8  | 324                                         | 125              | 45                 | 22 to 25          | Ditto into the Brusna.                                           |
| 63,435            | 7  | 1½ | 288                                         | 128              | 44                 | 30                | Blackwater, Brusna, and Shannon.                                 |
| 17,284            | 10 | 0  | 268                                         | 191              | 47                 | 30 to 35          | Camlin and Inny.                                                 |
| 99,350            | 7  | 9  | 415                                         | 204              | 45                 | 20 to 30          | Streams which discharge into Lough<br>Gara.                      |
| 58,647            | 17 | 1  | 488                                         | 340              | 33                 | 16 to 20          | Streams which discharge the Nore<br>and Suir.                    |
| 17,215            | 2  | 0  | 418                                         | 282              | 35                 | 18 to 20          | Streams which discharge into the<br>Nore and Barrow.             |
| 31,728            | 12 | 6  | 139                                         | 64               | 35                 | 15 to 20          | Dunbeg, &c.                                                      |
| 19,824            | 3  | 0  | 257                                         | 227              | 36                 | 20                | Barrow.                                                          |
| 117,982           | 0  | 0  | 326                                         | 46               | 45                 | 15 to 20          | Streams which discharge into Lough<br>Corrib.                    |
| 184,928           | 10 | 2  | 488                                         | 54               | 42                 | 8 to 16           | Lough Mask, Lough Conn, and<br>Clew Bay.                         |
| 51,884            | 0  | 0  | 200                                         | 93               | ..                 | ..                | Blackwater, Bann, and Lough<br>Neagh.                            |
| 18,208            | 11 | 11 | 250                                         | 75               | 25                 | 5 to 12           | Cashen, &c.                                                      |
| 13,488            | 8  | 10 | 300                                         | 200              | 20                 | 20                | Blackwater, &c.                                                  |
| 19,855            | 7  | 9  | 160                                         | 25               | 20                 | 6                 | Lakes of Killarney.                                              |
| 7,014             | 17 | 9  | 200                                         | 38               | 22                 | 10 to 15          | Gheestan and Laune.                                              |
| 19,405            | 8  | 10 | 700                                         | 250              | 32                 | 6 to 12           | Blackwater, Coolraa, &c.                                         |
| 29,937            | 19 | 4  | 110                                         | 35               | 32                 | 12 to 20          | Cashen.                                                          |
| 13,315            | 0  | 0  | 229                                         | 144              | 43                 | 20 to 30          | Shannon.                                                         |
| 98,318            | 12 | 10 | 284                                         | 126              | 30                 | 20 to 25          | Loughs Corrib, Mask, Gara, and<br>River Suck.                    |
| 59,708            | 2  | 0  | 300                                         | 150              | 20                 | 15                | Suck.                                                            |
| 1,277,828         | 7  | 5½ |                                             |                  |                    |                   |                                                                  |

## APPENDIX, No. 4.

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### IRISH WASTE-LAND IMPROVEMENT SOCIETY.

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REPORT of the Directors read at the Half-yearly General Meeting  
of Proprietors, on Thursday, 6th September, 1838,

COLONEL ROBINSON in the Chair.

THE directors of the Irish Waste-Land Improvement Society, in laying before the shareholders their periodical Report, have the pleasure to announce that the progress made, and the information obtained during the past half-year have been alike satisfactory.

In pursuance of the intentions stated at the last meeting, the directors have taken a lease of an estate in Sligo, containing about 5,700 statute acres, on the possession of which they entered at Lady-day; and they have since been actively engaged in carrying on there the works of draining and fencing. A part of the estate is already divided into farms, and the roads, which had been before laid out, are undergoing a thorough repair. The very favourable reports previously received by the directors of the superior quality of this land have been most fully and satisfactorily confirmed by one of their own body, who has recently visited the estate; by an experienced agricultural agent, who was sent over in the spring of the year to inspect this and other estates of the society; by Mr. Cooper, the surveyor, who is frequently on the spot; and by Mr. William Jamieson, the resident steward, who states the pasture on the high ground to be the best he has ever seen at such an elevation, and particularly well sheltered. The directors have taken steps to avail themselves of this advantage during the progress of reclamation, so that the land may yield a return even from the present season. Mr. Jamieson, under whose

care the estate has been placed, is an able agriculturist, and possesses, in addition to a thorough knowledge of the Scotch system of farming, the advantage of considerable experience in Ireland ; and the directors having thus commenced operations in this quarter under very favourable auspices, anticipate a result proportionably successful.

On the estate in Galway the course of reclamation is also rapidly advancing ; much progress has been made in the main drains and boundary fences ; a lime-kiln has been built, and a large quantity of lime made ; a steward's lodge has been commenced, and several acres of land brought into a state of preparation for a crop of rape. This estate is placed under the care of Mr. George Comerford, a steward of whose ability the directors have received strong testimonials.

The outlay of money on the estate in Limerick is to be made by the proprietor himself, subject to the approval of the directors. The documents necessary for carrying this arrangement into effect have been prepared, and will be acted upon forthwith.

The directors have recently received an offer of 6000 acres of land in the county of Kerry, and another of about the same quantity in Mayo, both of which are now under consideration ; and they will extend their inquiries to other estates on the western side of Ireland, in order that their operations may be as much as possible concentrated.

It must be evident, that in an undertaking like the present very much depends on the existence of a good feeling between the inhabitants of the country and the agents employed by the Society. The directors have every reason to be satisfied in this particular : all accounts concur in showing, that the agents hitherto appointed are exceedingly well received, and that they experience the cordial co-operation of those around them. This fact, and the eagerness manifested to become tenants of the Society, sufficiently evince the popularity of the measure in Ireland, and justify the expectation that it will prove a national as well as an individual benefit.

With these pleasing prospects before them, the directors have only to regret that the funds placed at their disposal are not more

adequate to an extensive scale of operations. After giving the utmost indulgence in regard to the call made on the 25th January last, the directors have felt bound, as an act of justice to those proprietors who have evinced their confidence by responding to it, to declare forfeited (subject to confirmation by a general meeting, of which due notice will be given) all shares on which payment had not been made by the 30th ulto. A resolution to this effect was accordingly passed on the 2d instant, and the number of shares so declared forfeited amounts to 4,521. Far, however, from allowing this circumstance to discourage them, with respect to the ultimate success of the undertaking, the directors rather deem it a motive for increased activity, energy, and perseverance in its prosecution. And it will at once be apparent to those proprietors who have paid the call, that the capital which they have subscribed will become a *bonâ fide* one, applicable to the real objects of the Society, inasmuch as the amount of the deposit on the shares forfeited will be more than adequate to defray all the preliminary expenses incurred in the formation of the Society.

Fully satisfied as the directors are of the profitable nature of the measure, they are anxious that the result should be shown, even though on a limited scale, and feel convinced that, so soon as this is done, they shall receive from their shareholders and the public at large, such increased support as will enable them eventually to carry out the objects of the Society to an extent commensurate with their importance.

The directors now beg to submit the annexed Abstract of Receipts and Expenditure for the half-year ending the 30th June last, showing a balance in hand of £4,400. 10s. 8d. The number of shares disposed of is 7,081, and the amount paid on the call up to the 30th ulto., £2,560.

By order of the Court of Directors,

JOHN WILKINSON, *Secretary*.

8th August, 1838.

## ABSTRACT OF RECEIPTS AND EXPENDITURE

*For the Half-year ending 30th June, 1838.**Receipts.*

|                                                                            | £.     | s. | d. |
|----------------------------------------------------------------------------|--------|----|----|
| Balance from last account, 31st December, 1837 .                           | 464    | 3  | 11 |
| For £2,400 Exchequer Bills, and Interest, sold at<br>55s. premium. . . . . | 2,511  | 10 | 2  |
| For first call of £1 per share on 2,224 shares, paid<br>to date . . . . .  | 2,224  | 0  | 0  |
|                                                                            | <hr/>  |    |    |
|                                                                            | £5,199 | 14 | 1  |

*Payments.*

|                                                                                    | £.     | s. | d. |
|------------------------------------------------------------------------------------|--------|----|----|
| On account of works on the estates in<br>Ireland . . . . .                         | 315    | 13 | 0  |
| Salary and expenses of agent on journey<br>to the estates. . . . .                 | 38     | 11 | 9  |
| Travelling expenses of directors on visit-<br>ing the estates in 1837 and 1838 . . | 36     | 11 | 0  |
| Law charges for leases . . . . .                                                   | 80     | 3  | 10 |
| Allowance to directors, for half-year, as<br>per vote of last general meeting . .  | 105    | 0  | 0  |
| Salaries . . . . .                                                                 | 69     | 10 | 0  |
| Rent . . . . .                                                                     | 95     | 5  | 0  |
| Bill for the seal of the Society, and press<br>for same. . . . .                   | 15     | 15 | 0  |
| Advertisements and printing . . . .                                                | 6      | 13 | 6  |
| Sundries per petty cash. . . . .                                                   | 36     | 0  | 4  |
|                                                                                    | <hr/>  |    |    |
|                                                                                    | 799    | 3  | 5  |
|                                                                                    | <hr/>  |    |    |
| Balance in hand 30th June, 1838 . .                                                | £4,400 | 10 | 8  |

## APPENDIX, No. 5.

## PROVINCE OF ANTWERP.

EXTRACTS from the Speech addressed to the Provincial Council of Antwerp, by the Governor of the Province, on opening the Session of 1837.

*On Roads and Inland Navigations.*

Means of communication by land and water, are among the most powerful elements of public prosperity, and the most imperious public wants.

The council did not hesitate to appropriate in the budget of the present year 700,000 francs, for the completion of the roads which are to unite Aershot and Herenthal, with Mechlin and Leirre; and for the making one of our rivers navigable, which seems only to need some intelligent efforts of art, to carry activity and fertility into a country now inert and sterile.

The loan of 500,000 francs, destined to cover a part of the expense, has not been touched, because the ordinary resources of the budget have provided for the first outlay.

The consideration of two roads has been especially recommended; that of Wolvertham towards Tamise, and that of Mechlin towards Ghel. Several of the communes interested, have offered to assist by subsidies proportionable to their means.

The deputation has attended to the recommendations that have been made to it, relative to the measures to be taken for the improvement of the navigation of the Rupel, and the erection of a bridge over the same river, opposite the important commune of Boom.

Consulted on the part of government, upon a general system of small navigation and irrigation, to be executed in the Campine, the council has decided in favour of the utility of such a project, laying down as a principle that the works should be executed by the government.

Such appears to us to be the urgency of efficacious arrangements for the police, and maintenance of parish roads, that if a law were to be still longer delayed it would perhaps be wise to order a provisional regulation in a branch so important to the administrative service, for which the existing regulations appear to be insufficient.

In addition to the two projects of roads to which you directed our attention, the deputation has thought of several others ; the budget of expenses and wants will give you the details. The utility and possibility of the execution of these projects have been acknowledged in principle, but still require more deep consideration. It belongs to you, gentlemen, to determine the order in which the interest of the province, and distributive justice, demand them to be executed. You will not only show regard to the offers of concurrence made by the localities interested, and already possessed of local communications ; but also to the wants of those, who, more destitute and poor, are waiting only for these elements of social life to raise themselves to the condition of the first; and in their turn contribute to the general welfare.

#### *On Schools and Churches.*

If we consider the communications as the principal arteries through which circulate the life of population ; if they merit the first rank in our solicitude, we must not, however, restrict to them the intervention and cares of the administration. \* \* \*

A great number of communes are in want of schools, or require better than they have. In many others, the buildings dedicated to religious purposes are no longer fit for the extended population ; and we propose to you, gentlemen, an augmentation of funds destined for their enlargement.

*On Agriculture.*

With the view of giving to agriculture more direct and efficacious encouragement, we also propose to you to enlarge the sum voted last year, reserving to ourselves, with your instructions, to determine the best employment of it.

*On Legislative Interference and Aid, for effecting Territorial and Social Improvements.*

In our times the power of private associations is often cited ; but what then is the public administration ? What are you, gentlemen, but a powerful association, united, not for views of private interest, but with the desire, the will, the mission, of ameliorating incessantly, the moral interests and situation of 350,000 citizens whom you represent.

## PROVINCE OF ANTWERP.

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EXTRACTS from the Report of the permanent Deputation of the  
Provincial Council. 1st July, 1837.

### *Sittings of the Council.*

The sittings of the provincial council of 1836, opened the 6th of October, and closed the 26th. In this interval of 20 days, there were in all ten public sittings.

### *Provincial Electors.*

The number of provincial electors is now 4748, divided in the following manner :—

|                               |  |         |
|-------------------------------|--|---------|
| Canton of Antwerp,—City . . . |  | 1120    |
| Other portions                |  | 205     |
|                               |  | —— 1325 |
| Canton of Brecht . . . . .    |  | 157     |
| „ Contich . . . . .           |  | 381     |
| „ Erckeven . . . . .          |  | 192     |
| „ Santhoven . . . . .         |  | 134     |
| „ Wilryk . . . . .            |  | 124     |
| „ Duffel . . . . .            |  | 120     |
| „ Heystopdenberg . . . . .    |  | 203     |
| „ Lierre . . . . .            |  | 253     |
| „ Mechlin . . . . .           |  | 606     |
| „ Puers . . . . .             |  | 237     |
| „ Arendouck . . . . .         |  | 70      |
| „ Herenthals . . . . .        |  | 209     |
|                               |  | ——      |
| Carried forward . . . . .     |  | 4011    |

|                        |       |            |
|------------------------|-------|------------|
| Brought forward        | . . . | 4011       |
| Canton of Hoogstraten. | . . . | 121        |
| , , Moll               | . . . | 238        |
| , , Turnhout           | . . . | 197        |
| , , Westerloo          | . . . | 181        |
|                        |       | <hr/> 4748 |

### *Communal Administration.*

It was during the session of 1830 that the installation of the new communal administration took place. Most of the old members having again been honoured with the suffrages of their fellow-citizens, the government in some measure associated itself with the wishes of the electors, by retaining at the head of the administration almost all the burgomasters and aldermen re-elected. In the communes, where these would not or could not be continued in their functions, its choice was in general fixed upon the councillors that had obtained the greatest number of votes, and if any deviations were made from this rule, it was when the duties and interests of the commune rendered them indispensable.

The same line of policy has been followed in the choice of secretaries.

\*                      \*                      \*                      \*                      \*

The collectors have been continued in their employments. Two or three have been dismissed by the local authorities, and the deputation ratified these acts of severity, that the example might retain the other functionaries in their duty.

### *Creation of Communes.*

The provincial administration has received many demands for the creation of new communes.

\*                      \*                      \*                      \*                      \*

It may so happen that they take their source less from the real wants of the inhabitants, than from ambitious views and personal interests. The mass of petitioners are often violent for changes, of which, if more enlightened, they would dread the conse-

quences. It is not that two localities constituted into one commune, may not have an interest in separating; but too often they only consider their association under the unfavourable view, without recollecting the advantages presented by the other side. United, they are better able to bear the charges, by sharing them; left to themselves they remain powerless, when they might, by associating their efforts and by directing them to the same end, work most usefully towards their common welfare.

The Communal Law has pointed out no rule relative to the disuniting of communes; but foreseeing the neglected state in which the administration of the communes might leave the hamlets which belong to it, has left to the deputation to determine, according to the population, the number of councillors to be elected in each section.

#### *Provincial Income and Expenditure.*

The *provincial budget* for the year 1836 was definitively settled by a Royal Decree of the 31st March, 1836, to a receipt of 262,553 francs, and the expenses were authorized to the same amount.

\*            \*            \*            \*            \*

A Royal Decree of the 8th August, 1836, augmented the sum by 10,000 francs, to be raised from the funds of the high roads.

A similar levy of 7,766 francs, equally applicable to unforeseen expenses, has been authorized by a Royal Decree of the 7th January, 1837.

\*            \*            \*            \*            \*

In the last session, the council examined and approved conditionally of the accounts of the year 1835. Those of the year 1836, comprising the final account of 1834, the supplementary account of 1835, and the primitive account of 1836, will be submitted to the council with the necessary vouchers.

#### *Income and Expenditure of Communes.*

The budgets for *towns and communes* for 1833 have been examined, and definitively decreed by the deputation.

The revenues of the four towns present a total of 2,394,518 francs.

The expenses of all kinds have amounted to 2,324,610 francs.

Among these expenses the subsidies granted to the charitable establishments, amount to 407,815 francs; and those for works of public convenience to 307,083 francs.

The interest of the constituted debt, and of loans raised since 1829, have absorbed 214,814 francs.

There have been appropriated towards the extinction of these debts, 156,210 francs.

The revenues have sufficed to cover all these expenses. The town of Antwerp only has been obliged to have recourse to a temporary loan of 175,000 francs, to supply the balance of its budget.

The revenues of the rural communes of the provinces have amounted to 961,053 francs, and the expenses to 802,510 francs.

The surplus is, for the most part, intended to be applied either in liquidation of the debts, or to works of public convenience.

The produce of the communal rates, properly so called, has amounted to 426,127 francs. This sum divided by 232,203, the number of the population in the rural communes, gives for each person 1.83 franc.

The accounts delivered by the communal collectors for the year 1835, have been definitively settled, with the exception of those of Mechlin and Turnhout. A considerable deficit having been proved to the charge of one of the communal collectors, he has been displaced. The proper measures have been taken to estate his sureties account, and for the appropriation of his own make towards supplying this deficiency.

### *Railways.*

In mentioning to you last October the advancement and the progressive march of the works of the railway, an enterprise which so deeply interests the province, and particularly the town of Antwerp, and its trade, we stated that the principal works in the line of Bruges to Liege were undertaken. Now, from the information we have received, we have the satisfaction of an-

nouncing that a great part of the line will be opened for circulation for the feasts of September next.

We shall derive additional benefit from the law recently passed, by which a new branch upon Lisle and Tournay, by Courtray, is added to the rail-road formed under the Decree of the 1st of May, 1834, and which will shortly put Antwerp in direct communication, by Hainault and the two Flanders, with the French Flanders. This adjunction attains above all a new degree of importance by its continuation towards Paris, a project which, unfortunately, the Chamber of Deputies in France has just adjourned; but of which the evident and incontestable utility for the two nations renders, it is to be hoped, in a short time the adoption inevitable, whether the French Government cedes the formation of the road to a particular company, or, whether, guided and enlightened by the results of a system so happily followed up in Belgium, it decides to place itself at the head of the powerful enterprise.

The hope of the finishing the road towards the Rhine is not less certain. The difficulties which had arisen in the choice of plans in the environs of Aix-la-Chapelle, having been smoothed by the happy union of the two companies of Aix and of Cologne. The coincidence of opinions with our neighbours will be a fresh stimulus to animate the definitive considerations of the sections of Liege towards the frontiers of Prussia.

When we recal for a moment the epoch still so recent of the discussion of the law of the 1st of May, 1834, when every thing was doubt, when the facts unknown amongst us were contested by the generality, when the advantages, now so incontestable, for the public and for the treasury, of the result of this beautiful working of the railway by the state and for its benefit, were considered very dubious, and then, if we consider scarce three years after that discussion, the four principal towns in Belgium should be united by the railroads, and should form, as may be said, one vast city; it appears that the country may with good right congratulate itself upon such a result.

If some partial local complaints have arisen upon the apparent slowness of the march of the enterprise, it is, that the ardent

desire at present that all should be in immediate possession of this means of conveyance, so rapid and economical, has occasioned a forgetfulness of the immense works, the multitude of operations, which must be effected before it can be put in full play; it is thus the anxious impatience to enjoy it, changes the wish into complaints, and makes it to be forgotten, that nowhere, at no other period perhaps, could be cited such great works executed in such a short space of time, with such productive results to the state. The station of Borgerhout, where the works of the railroad are for the present suspended, appears to answer perfectly to the wants of the service in what concerns travellers, by the means of the cut contrived in the fortifications, and the projected enlargement of the bridge over the moat of the town. By its position close to the Place de Meir, and the converging of the principal streets to the gate of Borgerhout, it equally facilitates the access to the different quarters of the town.

As to the entrance to the railroad in Antwerp, and to the interior station for the direct embarkment and disembarkment of merchandise, as also the branch conducting to the free entrepôt, the Government has not yet come to a definitive resolution. The just appreciation of the railroad, more felt each day by the result of its workings, which surpasses all that was anticipated, has occasioned the abandonment successively of the different projects presented for this station, an object of the highest importance to the future commerce of Antwerp, and for the railroad itself. Not one of the situations hitherto proposed have answered completely to the exigencies of the extraordinary movement, which will take place when Antwerp, properly speaking, will be the general depôt of the principal towns of Belgium, and the necessary centre of the most active commercial relations between France, Germany, England, and Holland. Already with its present commerce the insufficiency of the quays is often felt; it is well known that the handsome basin now existing has been formed more for the accommodation of a military marine, and for the harbouring of men-of-war, than to suffice to the wants of the maritime commerce.

Penetrated with the great importance of the establishment.

of this station, and always guided by the intelligence full of foresight, which from the beginning has presided over their undertakings, the engineer directors of the railroad are at this moment finishing, in concert with the military engineers, the consideration of a definitive project, which may bring the waggons into the free entrepôt, and to the very banks of the Scheldt; to make useful the north quay (now deserted), and to form in the Kattendyk, and in the moat of the circumference of the place, the docks, that are wanting still to this Belgian Liverpool. This project, principally directed towards the interest of commerce, and always augmenting the means of military defence, offers in addition the advantage of rendering healthy all the part of the town which surrounds the basins, by raising and draining all the ground which borders this quarter. The works of the branch road to Lierre, that was projected to be directed towards Duffel, are suspended, first, by the demands of the proprietors for the cession of lands, and also by the complaints of the inhabitants of Contich,—complaints which have fixed the particular attention of the deputation, and which have for their object to obtain the execution of the plan by Linth, proposed in 1833. The possibility of joining, without much expense, Boom and the surrounding communes to the railway by Contich, must give great weight to the demand of the last-mentioned commune, reduced at present to almost complete isolation, and much diminishes the regret that is felt at the delay occasioned in the execution of the works of this branch road, so interesting for the town of Lierre, and a great part of the Campine. The latest opinions lean towards the direction upon Linth, and the decision to be made cannot be much longer retarded.

The transport of merchandise which had been delayed, as it appears, by the necessity of learning the general opinion on a question so complicated and important, has at length commenced for the goods and parcels usually sent *by Diligence*. Everything leads to the hope that the results of this new arrangement will be like that for the transport of travellers, as economical for the public as productive for the treasury.

The Government, though only establishing small rates upon travellers and precious merchandise, usually sent by *Diligence*, will not of course lose sight, that the advantages certain to be gained on these special parts of the workings, would, in the spirit of the law of the 1st of May, as much facilitate and favour the carriage and the exportation of heavy merchandise.

We think it will not be uninteresting to insert in this place a table of the number of travellers on the sections from Mechlin to Brussels and to Antwerp in 1835 and 1836; we copy this document from the Report presented to the Legislative Houses of the 1st of last March.

*Number of Travellers.*

FIRST PERIOD.—Section of Mechlin to Brussels.

| Months.        | Brussels. | Mechlin. | Total. |                                     |
|----------------|-----------|----------|--------|-------------------------------------|
| 1835.          |           |          |        |                                     |
| May. . . .     | 17,210    | 16,077   | 33,287 | } 563,210 travellers<br>for a year. |
| June. . . .    | 26,794    | 25,649   | 52,443 |                                     |
| July. . . .    | 39,841    | 37,961   | 77,802 |                                     |
| August . . .   | 36,964    | 35,417   | 72,381 |                                     |
| September . .  | 36,922    | 35,600   | 72,522 |                                     |
| October . . .  | 26,146    | 24,683   | 50,829 |                                     |
| November . . . | 16,764    | 16,423   | 33,187 |                                     |
| December . . . | 14,701    | 14,287   | 28,988 |                                     |
| 1836.          |           |          |        |                                     |
| January. . . . | 14,767    | 13,942   | 28,709 | }                                   |
| February . . . | 15,887    | 14,972   | 30,759 |                                     |
| March . . . .  | 17,692    | 17,015   | 34,707 |                                     |
| April . . . .  | 24,105    | 23,391   | 47,496 |                                     |

SECOND PERIOD.—Sections from Mechlin to Brussels and to Antwerp.

| Months.        | Brussels. | Mechlin. | Antwerp. | Total.  |                                                |
|----------------|-----------|----------|----------|---------|------------------------------------------------|
| 1836.          |           |          |          |         |                                                |
| May . . . .    | 43,749    | 25,561   | 32,169   | 101,479 | } 729,545 passen-<br>gers for eight<br>months. |
| June . . . .   | 42,425    | 23,753   | 32,351   | 98,529  |                                                |
| July . . . .   | 46,427    | 30,395   | 36,015   | 112,837 |                                                |
| August . . . . | 48,619    | 31,590   | 39,545   | 119,754 |                                                |
| September . .  | 43,967    | 28,455   | 30,674   | 103,096 |                                                |
| October . . .  | 35,608    | 26,180   | 28,652   | 90,440  |                                                |
| November . . . | 20,084    | 20,994   | 15,028   | 56,106  |                                                |
| December . . . | 21,307    | 13,760   | 12,237   | 47,304  |                                                |

During the first period (May 1835 to May 1836, 12 months) the section from Mechlin to Brussels alone has brought 359,394·15 francs; it has been gone over in all or in part by 563,210 travellers.

During the second period, the amount of the receipt in francs has been nearly equal to the number of travellers (734,736 francs); so that it may be supposed that each traveller, without attending to the distance gone over, paid a franc.

Struck with the rise of the price for the transport of paving stones for the construction of the roads in the Campine, not less than with the difficulties that the military engineers oppose to the construction of several of those roads, with the idea of what they consider the security of the country, we have asked ourselves how far the railroads on the American system would be, under this double consideration, more advantageous than the ordinary roads. We have obtained the assurance that the roads of this kind, capable of immediate dislocation, would present, without doubt, fewer inconveniences than others, to the eyes of the military engineer, and as to the means of execution, we subjoin a note which has been communicated to us by an engineer, in whose experience we think we can place full reliance.

“ The experience of the marshes of Cheshire, now in cultivation, by means of railways made of the rails not used for the road from Manchester to Liverpool, gives the certainty that the railroads executed in the Campine, according to the manner adopted in certain parts of the United Provinces, that is, constructed upon sleepers and lengths of log-wood, covered over by a simple flat band in iron of four kilograms (about 8 lbs.) by the usual measure, would furnish, not only in every desirable direction easy communication, but besides it would soon extend towards each hamlet, and almost to each farm; and even, as at Chatmoss, in the midst of the fields diffuse cultivation.”

After a detail carefully revised, we may assert that the expense of the establishment for this species of railroad in the Campine, would not cost 12,000 francs by kilometre (each 100 yards), always being capable of bearing waggons as heavily laden as

those that may run on the high-roads. It is easy immediately to foresee the immense advantages that the Campine might expect from such an economical method of communication, if we compare the price of 12,000 francs by kilometre (each 100 yards) to the expense of the ordinary ways hitherto in use.

This price, so small in comparison with that of the common highways, has nothing, however, to astonish, if we consider the weak action of the ground, which scarcely requires embankment, and the sandy nature of the soil, the abundance and low price of wood, the principal object of expense in this species of construction.

These communications by horses only, the most convenient method for the actual state of industry in the country, would nevertheless enable passengers to travel at the rate of from two and a half to three leagues an hour.\*

#### *Roads of the First and Second Class.*

The roads of the first and second class have been maintained during the year 1836, in very good travelling condition. Their maintenance has cost 47,350 francs.

The produce of the turnpikes, established upon the roads during the same period, has amounted to 140,745 francs, and has left to the state a surplus of 93,395 francs.

The bridge over the Schyn, near Deurne, put in temporary repair in 1814, has been replaced by one more solid and larger. Until the making the little Nethe navigable, so as to allow the transport of the paving stones destined for the road from Turnhout to Diest, the works to be executed upon the part of this road comprised between Turnhout and Ghiel, will be limited to what is essential for the preservation of the embankments, the draining of the bed, or the construction of aqueducts in some places where they have been found necessary.

\* In England on the Darlington road, the carriages are drawn by horses. Each carriage intended for thirty persons, with their luggage, drawn by a single horse, and travels at the rate of from eight to ten miles an hour.

The plantation of the same road has been undertaken for the sum of 4,200 francs. It will be accomplished in the course of next November. As yet nothing has been decided upon the definitive plan of the road between Ghiel and Diest. The War Department has made known, the 12th of last April, that it would not oppose the construction, provided it was superintended by Zammel.

The deputation requested of the Minister of Public Works that the head engineer should be directed to take into consideration this work, in order that the deputation should, if possible, be occupied again in the course of this year with making purchases of ground and embankments.

The continuation of the road from Antwerp to Putta, upon a length of 4,500 yards, is demanded most anxiously by the communes interested, and will facilitate exceedingly the relations with Slabroeck, Santuliet, and Beirendrecht. We have endeavoured to find the means of obtaining this result without being obliged to touch the resources destined for the opening of communications upon other points of the province. We hope to succeed.

#### *Provincial Roads.*

The provincial roads are in a satisfactory state. A sum of 22,645 francs has been expended in keeping them up, and the works which belong to them.

The produce of turnpikes, which has amounted to 27,475 francs, has afforded a surplus of 4,829 francs.

The trees decayed, or which have been mischievously destroyed, have been replaced. The first section of the road from Leirre to Herenthals has been planted, as also the second section of the road from Lierre to Aerchot. The success of the plantations depending partly on the attention given to the training of the trees when they have attained a certain growth, the deputation has judged it proper to confide this charge to persons more clever than those hitherto employed.

*Loans for Roads.*

Consulted by the deputation on the part that could be eventually allotted to the province in the loan of 6,000,000 francs, voted to complete and improve the system of roads throughout the kingdom, the Minister of Public Works has answered, that it depended on the extent of the communications to be opened in this province, and of the sacrifices which the communes may be willing to make.

The head engineer has been requested by the deputation to point out the new roads best to be undertaken, and to supply an estimate of their cost.

Total length of roads to be formed, 82,878 yards.

Estimate of the outlay, 1,596,910 francs.

\* \* \* \* \*

The commune of Brecht has demanded that, instead of constructing a road from Hoogstraeten to Oostenalle, it should be directed on Brecht and Brasschaet. This direction being nearly of double length to the other, would occasion an expense of at least 400,000 francs.

The decision to be taken in this regard depending much upon the sacrifices the communes will make, they have been requested to make known their intentions.

As the opening of so many roads cannot take place simultaneously, the council will class them according to their urgency and utility.

*Canals and Rivers.*

The making the little Nethe navigable unto the Bridge of Casterle, resolved by the council in its last session, has been particularly an object of solicitude to the deputation, which has endeavoured to procure all the intelligence most likely to put an end to the doubts that might still exist upon the success of this work.

The project of the engineer Kümmer, has been submitted to the examination of a commission. \* \* \* \* \*

This Commission has unanimously agreed that the realization of the project would be eminently useful.      \*      \*      \*

\*      \*      \*      \*      \*

Thanks to the intervention, as active as it was obliging, of one of the members of the council, the purchases of land, which often occasion difficulties so prejudicial to the prompt execution of works, have been effected in a few days upon the whole line, from Lierre to Gobbendonk.

The contractor has commenced his operations, and is pursuing them actively.

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No decision has yet been made by the Government upon the project presented by the Inspector-General of Bridges and Highways, for the establishment of a general system of short navigation and irrigation in Anversoise and Limbourgioze Campine.

Meanwhile a company, represented by M. Le Coq, of Tournay, have solicited from Government a grant for the tilling of the heaths of the two provinces, and for the execution of necessary ways of communication for that object.

An inquiry has been instituted by the Department of Public Works upon this project, which has been founded upon that of the Inspector's-General.

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In the sitting of the 18th of October, 1836, the provincial council showed a desire that measures should be taken to accelerate the works so long projected to improve the navigation of the Rupel, and to facilitate the communication between Boom and Willebroeck. These projects being to be found in the archives of the Department of Public Works, the deputation has begged the Minister to communicate them. Among the papers relative to the first project, there is a report made on the 19th of February last, by the Inspector of Bridges and Highways, which particularly occupied the attention of the deputation.

\*      \*      \*      \*      \*

The deputation sharing the opinion of the author of the Report, has resolved to take steps with the Minister of Public Works,

that a commission should be instituted as promptly as possible, and that there should be added to it a delegate from the province of Boom.

*Parish Roads.*

In the course of the month of April, the Commissioners of the Roads have, in concert with the local authorities, inspected the cross-roads. The extracts of their Reports, pointing out the works to be executed, and the measures to be taken for the prevention of the trespasses committed in some of the localities, have been transmitted to the administrations interested.

In many of the communes the works are already executed or going on actively. We flatter ourselves the next Report of the Commissioners will contain, in this respect, satisfactory evidence.

A new project of law upon the parish roads has been communicated by the Minister of the Interior to the deputation, who has judged proper to have it printed, and transmitted to the Commissioners and to the communal authorities, in order to collect the observations their experience will suggest to them on a subject of such importance. Each of the councillors have also received a copy for the same intention.

The presentation of the project to the Chambers being so near, has determined the deputation to adjourn the digestion of a project of regulation till such time as a law, which we hope will not long be delayed, will have fixed the general principles upon this interesting matter.

It often happens in the rural communes, and the case has been even lately pointed out to us, that individuals usurp communal lands for building upon, and that the local authorities shut their eyes upon these usurpations, which ought to be severely kept down. We think that the communal councils would do well to make decrees forbidding all constructions not legally authorized upon the communal lands, under small police penalties, to which they might make liable not only those that construct, but even their workmen.

*Communal Works.*

In the last Report was given the account of the situation of communal works, the expenses of which appear in the budgets of the years 1835 and 1836. These works are at present finishing, and other constructions not less important have been projected for 1837, the account of which is here given :—

*Antwerp.*

Francs.

|                                                  |         |
|--------------------------------------------------|---------|
| A quay before the dépôt . . . . .                | 192,000 |
| A store for military goods . . . . .             | 105,000 |
| A fish market . . . . .                          | 80,000  |
| A post at the Bridge de la Vigne . . . . .       | 18,000  |
| New gates to the sluices of the Basin . . . . .  | 12,000  |
| Two landing-places at the Quay Van Dyk . . . . . | 24,000  |
| Candelabres to light the public places . . . . . | 12,200  |
| Restoration of the Great Tower . . . . .         | 15,000  |

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Francs 458,200

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*Mechlin.*

|                                                                                               |        |
|-----------------------------------------------------------------------------------------------|--------|
| Opening of a new street to communicate with the<br>central section of the railroads . . . . . | 50,000 |
| Construction of two pavilions at the entrance of the<br>Municipal College . . . . .           | 14,850 |
| Reparations of the Great Tower . . . . .                                                      | 2,000  |

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Francs 66,850

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*Lierre.*

|                                                                       |       |
|-----------------------------------------------------------------------|-------|
| Enlargement of a street . . . . .                                     | 6,700 |
| Construction of a new quay . . . . .                                  | 3,000 |
| A sewer . . . . .                                                     | 3,000 |
| Enlargement of the hospital (part belonging to<br>the town) . . . . . | 8,000 |

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Francs 20,700

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*Turnhout.*

|                                          | Francs. |
|------------------------------------------|---------|
| Improvement of the barracks . . . Francs | 6,790   |

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*Arrondissement of Antwerp.*

|                                                                            |        |
|----------------------------------------------------------------------------|--------|
| Exterior reparations of the church of St. Leonard<br>sous Brecht . . . . . | 1,800  |
| Re-construction of the parsonage of Hove . .                               | 5,650  |
| Also of the Tower of Embleheim . . . .                                     | 2,500  |
| Reparation of the parsonage of Beirendrecht .                              | 800    |
| Also of the school of Massenhoven . . . .                                  | 1,500  |
|                                                                            | <hr/>  |
| Francs                                                                     | 12,250 |

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*Arrondissement of Mechlin.*

|                                                      |        |
|------------------------------------------------------|--------|
| Enlargement of the church of Nylen, <i>estimated</i> | 8,500  |
| Reparations of the parsonage of Iteqhem . .          | 850    |
| Also of the parsonage of Blaesveld . . . .           | 1,200  |
|                                                      | <hr/>  |
| Francs                                               | 10,550 |

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*Arrondissement of Turnhout.*

|                                                                                                     |        |
|-----------------------------------------------------------------------------------------------------|--------|
| Construction of a school at Oolen, and of a house<br>for the master at Gorheyden . . . . .          | 9,290  |
| A school-house at Westerloo . . . . .                                                               | 4,000  |
| Another at Poppel . . . . .                                                                         | 3,500  |
| Enlargement of the church of Voortkappel . .                                                        | 7,000  |
| Reparations and alterations in the interior distri-<br>bution of the communal house of Herenthals . | 2,000  |
| Extraordinary reparations of the roof of the church<br>of Herenthals . . . . .                      | 2,700  |
|                                                                                                     | <hr/>  |
| Francs                                                                                              | 28,490 |

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Total . . . 603,830 francs.

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Independent of these works already undertaken, and which

it is expected will be finished in the course of the year 1837, the architect of the province has been asked for projects for the enlargement or re-construction of the schools of Cappellen, Sta-broick, Ordesen, Westmalle, Bevel, Poederle, and Westmeer-beck; the re-construction of the parsonages of Hingene and Sanvliet; the putting into complete repair of that of Norderwyck; the construction of a communal house at Duffel and Niel; the enlargement of the churches of Linth, Calmpthout, Wavre, Notre Dame, and Brasschael.

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## PUBLIC INSTRUCTION.

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### § 1.—*Ordinary or Secondary Instruction.*

The nine establishments destined in the province for secondary instruction, are frequented by 83 pupils more than on the 1st May, 1836.

At present the Athenæum of

|                                              |     |                        |
|----------------------------------------------|-----|------------------------|
| Antwerp . . . . .                            | 117 | pupils (all out-door). |
| The Municipal College of Mechlin             | 130 | ,, (35 boarders).      |
| The Municipal College of Lierre              | 42  | ,, (out-door).         |
| The Communal College of Ghiel                | 62  | ,, ,,                  |
| The Communal College of Herenthals . . . . . | 36  | ,, ,,                  |
| Report . . . .                               | 387 |                        |

The first section of the Archiepis-

|                                                             |     |                        |
|-------------------------------------------------------------|-----|------------------------|
| copal College of Mechlin . .                                | 315 | pupils (all boarders). |
| The establishment of Brul, annexed to the preceding . .     | 69  | ,, ,,                  |
| The private institution of M. P. J. De Nef, at Turnhout . . | 118 | ,, (4 boarders).       |
| The Archiepiscopal College of Hoogstraten . . . . .         | 61  | ,, (59 boarders).      |
|                                                             | 950 |                        |

The necessity of filling up the deficiencies in our secondary education are in our days much felt. The living languages, the sciences, the arts, are no longer sacrificed to the dead languages; history, the elements of mathematics, and the natural sciences, no longer remain unknown to our youth; and each year diminishes the evil attributed to the ordinary or secondary instruction which may be said to have been only suitable to one portion of those who received it, and to remain unknown to the great mass of the population. The colleges of the province furnish the proofs. The plan conceived to enlarge the sphere of tuition of the Athenæum of Antwerp, above all deserves praise. Along with the classes of the dead languages, already courses dedicated to the commercial and industrial sciences have been added. This plan comprehends, amongst others, chemistry and mechanics applicable to the arts, political economy, the principles of commercial law, statistics, and the history of commerce: it is subordinate to a progressive development. It would be rendering an eminent service to hasten the opening of the course of commercial law. There is under this head a blank, which has been felt for some time. Where can it be better filled than at Antwerp? Where will the utility of such lessons be better appreciated? Confided to a person of merit, and accessible to all who devote themselves to commerce, it would accomplish the public expectation, and do honour to the town.

## § 2.—*Primary Instruction.*

Thanks to the assistance of the superior administration, the local authorities of benevolent establishments, as likewise those of charitable individuals who devote themselves with the most laudable disinterestedness to the instruction of youth, the Primary Instruction is, at present, accessible to all classes of society. On the 1st of last February the number of primary schools was 347, divided as follows:—

|                             | Communal<br>Schools. | Mixed. | Private. | Total. |
|-----------------------------|----------------------|--------|----------|--------|
| Town of Antwerp . . . .     | 2                    | 5      | 62       | 70     |
| „ Mechlin . . . .           | 2                    | 1      | 35       | 38     |
| „ Lierre . . . .            | ..                   | 2      | 10       | 12     |
| „ Turnhout . . . .          | 6                    | 1      | 2        | 9      |
| Arrondissement of Antwerp . | 52                   | 8      | 23       | 85     |
| „ Mechlin .                 | 18                   | 21     | 16       | 35     |
| „ Turnhout.                 | 55                   | 7      | 16       | 78     |
| Total . . . .               | 136                  | 45     | 166      | 347    |

In 1835 this number was 346; but if the sum total of the schools has remained the same, that of the pupils that frequent them has increased 976.

The last Report mentioned a number of 33,149 pupils of both sexes in the primary schools. These are the tables of the population of these schools on the 1st February, 1837:—

|                           | Communal Schools. |        |        | Mixed Schools. |        |        | Private Schools. |        |        | General<br>Total. |
|---------------------------|-------------------|--------|--------|----------------|--------|--------|------------------|--------|--------|-------------------|
|                           | Boys.             | Girls. | Total. | Boys.          | Girls. | Total. | Boys.            | Girls. | Total. |                   |
| Town of Antwerp. . . .    | 910               | 300    | 1,210  | 280            | 29     | 309    | 1,950            | 1,705  | 3,655  | 5,174             |
| „ Mechlin . . . .         | 270               | 125    | 397    | 128            | ..     | 128    | 1,245            | 907    | 2,152  | 2,675             |
| „ Lierre . . . .          | ..                | ..     | ..     | 306            | 40     | 346    | 298              | 318    | 616    | 962               |
| „ Turnhout . . . .        | 292               | 149    | 441    | 170            | ..     | 170    | ..               | 144    | 144    | 755               |
| Arrondissement of Antwerp | 4,166             | 3,099  | 7,265  | 629            | 586    | 1,215  | 843              | 654    | 1,494  | 9,974             |
| „ Mechlin                 | 1,198             | 756    | 1,954  | 2,008          | 1,450  | 3,458  | 441              | 456    | 897    | 6,309             |
| „ Turnhout                | 3,492             | 2,713  | 6,205  | 482            | 383    | 865    | 591              | 615    | 1,206  | 8,276             |
| Total . . . .             | 10,328            | 7,142  | 17,470 | 4,003          | 2,488  | 6,491  | 5,368            | 4,796  | 10,164 | 34,125            |

The private benevolent associations for diffusing instruction, religious and moral, count also a great many pupils not included in this statement. The Sunday schools of Antwerp instruct as many as 3,070 boys and girls: in the hospitals of the same town instruction is given to 385 pupils (168 boys and 217 girls). In those of Mechlin to 158 (44 boys and 114 girls). At Hoogstraten to 99 girls. That makes, again, a total of 3,700 pupils, not including the population of the school prisoners at St. Bernard, which is at least 100; so that it may be asserted, as a fact, that in the province 38,000 individuals partake of the primary instruction.

As constitutional society is interested that its members should

receive the necessary degree of instruction to serve as a safeguard to liberty and general order ; so each commune equally feels that the rising generation should receive a good moral education, which will prevent their becoming a burthen upon public charity.

In its session of last year the provincial council voted a sum of 2,000 francs in favour of primary tutors. Several demands of subsidies have been addressed to the deputation ; but in order to proceed with full knowledge of the case to the subdivision, the deputation has resolved not to occupy itself with it till later, when a Royal Decree shall have regulated the salaries and the subsidies granted from the royal treasury for the present year in favour of the primary instruction. Upon the sum of 255,000 francs carried to the credit of the budget of the Department of the Interior, the allocation in favour of the province of Antwerp is only 15,668 francs. However, the Minister of the Interior has made known that several demands of subsidies have appeared to him to be deserving of consideration, and that they shall be attended to hereafter.

A Royal Decree of the 6th October, 1836, grants a sum of 900 francs, under the title of succours, to five old schoolmasters and to an old schoolmistress, and to the widow of a schoolmaster.

Upon the credit of the sum of 5,500 francs, carried to the provincial budget of 1835, for the construction and enlargement of places dedicated to primary instruction, the former deputation disposed, in the course of 1836, of—

|                                                    |   |              |
|----------------------------------------------------|---|--------------|
| 100 francs in favour of the Commune of Norderwyck. |   |              |
| 500                                                | „ | Willebroeck. |
| 700                                                | „ | Oppuers.     |

The present deputation has applied out of the sum carried for the same object to the budget of 1836 a sum of 500 francs for the making up a subsidy of 1,000 francs, which had been granted to the commune of Willebroeck. A similar sum of 5,500 francs appears in the budget of 1837 ; but it has not yet been touched.

The buildings and places serving for schools in the communes are, in general, in a good state. There are exceptions in the schools of Aertselaer, of Beirendrecht, of Bouchout, of Brecht, of

Cappellen, of Pulderbosch, of Westmalle, and of Wilsyk, in the arrondissement of Antwerp ; of Bevel, of Blaervelt, and of Heyndonck, in that of Mechlin ; of Aerendonck, of Olmen, of Porderlé, of Poppel, of Ramsel under Herselt, of Wechelderzande, and of Westmeerbeeck, in the arrondissement of Turnhout. They are in immediate want of repair, or perhaps ought to be entirely rebuilt. In many of these communes the local authorities are occupied with endeavouring to provide for the means of meeting such a very necessary expense, and, if it can be done, the deputation will show itself disposed to second it.

*Primary Schools on Government Model.*

Two of these schools exist in the province ; both have made great progress, due to the zeal of the administrative commissioners and to the exertions of the masters.

The primary school of Antwerp, which in 1835 only counted 80 pupils, and was attended in 1836 by 152, at present has 203, divided into three classes, that is, 94 in the first, 77 in the second, and 32 in the lower class. The want of space renders it impossible to admit a greater number of pupils, and at this moment some children are obliged to wait till vacancies permit their being admitted in their turn.

Lessons of vocal music have been added lately to the other branches of instruction, extended beyond the arts that principally constituted primary instruction, because between this and the colleges there is evidently an immense distance. In society this space is not empty ; it is filled by a number of families, who, from their interests, their labours, and their social situations, are not called upon to give their children a secondary instruction, and who, notwithstanding, have the desire to make them acquire superior knowledge to that which the primary schools can generally give. It is partly to satisfy the wants of this numerous and useful class of citizens, that it appeared proper to place in the instruction of the primary schools the foundations of knowledge, which later private exercises might develope.

The payments of the scholars form the resources of the school

of Antwerp, besides a subsidy of 1,800 francs, granted to it by Government.

There was, in 1836, at the primary school of Mechlin, 110 pupils; the 1st of last February this number was 128, and on the 1st of May following 147, in the different classes. The instruction includes reading, writing, arithmetic, geometry, the French language, Flemish and German, geography, notions of ancient and national history, lineal drawing, declamation, and singing. This institution enjoys a subsidy of 2,332 francs from the public treasury. With the view of improving it still more, the administrative commission has lately submitted, by the assistance of the provincial authority, some propositions to the Department of the Interior, for the examination of a third under-master, partly paid by the Government. These views of improvement cannot be effected this year, as the Minister has made known that the budget of primary instruction will not permit him, at present, to augment the subsidy attached to this school.

The elementary instruction interests, in such a high degree, the futurity of Belgium, that whatever can tend to preserve and develope it, merits peculiar solicitude. In the first rank of institutions, which would be useful to it, we must place the Normal primary schools, which in other countries have rendered the greatest services in procuring to a great number of communes masters who are sufficiently informed and familiarised to the best methods. The organization of such schools does not appear to present difficulties, and if the interval should be long before the discussion of the law of primary instruction shall be brought before the Houses, perhaps it would be necessary to request the attention of the provincial council to this object.

#### *School of Navigation..*

This school, organized, like that of Ostend, by the Royal Decree of 17th October, 1835, has not hitherto been able to receive the developments of which it appears to be susceptible. Such an institution is of too much importance to the country, and especially to the port of Antwerp, not to call for great attention.

As to the choice of the professor, it has been questioned whether the instruction should be merely theoretical—if that which is given at the French schools of hydrography should be adopted, or whether it was preferable to choose for a professor an old seaman, a good captain for long voyages, teaching, at the same time, both the theory and practice of navigation. The repugnance that seamen by profession appear to have to abstract studies, leads the council of administration to prefer this last choice ; but in order to assure to the pupils who show a talent for the study of mathematics the means of completing their instruction, it has asked and obtained of Government the authority of sending to the Athenæum, at the expense of the school, such of the pupils so situated. This method appeared to be so much the more satisfactory for the wants of instruction, as the Athenæum possesses some professors of great mathematical talent.

However, whether the hours for the lessons did not suit the pupils, or whether their daily employments did not permit their attendance, out of the 51 pupils whose names were on the register for admission to the school of navigation, only five have presented themselves to follow the courses of the Athenæum, and only two have been able to continue down to the present time. Of the 51 scholars, 11 have been erased from the register of control, so that the present number of pupils frequenting the lessons, either regularly or during the stay of their vessels at Antwerp, is 40, of which 35 are seamen by profession. It occurs from the necessity which these are under of frequently being absent, that the courses are only attended by 16 pupils.

#### *Foundations and Exhibitions.*

The accounts of these institutions, of which the number amounts to 63, continue to be kept exactly and regularly. All the accounts of the year 1836 have been approved and definitively settled by the deputation, with the exception of those of two of the foundations, of which the administration, having delayed producing their accounts, have been requested to conform, in future, with the obligation, which is given them in the sixth article of the Royal

Decree of the 2d December, 1823, to submit the accounts of this kind for the approbation of the deputation in the course of the first three months, which follows the expiration of the year.

The financial situation of the most part of the foundations for exhibitions improve perceptibly every year. This result must be attributable as much to the measures the deputation have judged proper to prescribe as to some liquidations of debt which they have been able at different times to make by savings and the surplus of the accounts.

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## THE FINE ARTS.

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### *The Royal Academy of the Fine Arts at Antwerp.*

The Report concerning the situation of the province of last year has disclosed the flourishing state of this academy, and the eminent services it has rendered to the fine arts. It has not ceased to follow the same course, and the pupils crowd with the same eagerness to attend. It is the destiny of this institution to continue for Antwerp one of its most glorious titles, and for the country a fruitful nursery of distinguished artists.

The professor of engraving, and the pupils of his school are occupied upon two important works—the engravings of the drawings of the tower of the cathedral, done upon a large scale, with so much talent and precision by Serrure, the architect ; and the engravings of the most remarkable monuments of Antwerp, and of the province, which will be re-produced by artists, members of the Royal Society of the Sciences, Letters, and Arts, and published by the care of this society. The first part is finished ; and they are occupied with the second part, in order to publish them simultaneously.

### *Academy of Drawing at Mechlin.*

It has at present 380 pupils. The lessons have been augmented by a course of perspective, given once a-week by the professor of drawing, from nature, and with a lesson of propor-

tions for the pupils that are destined for the antique classes. There is every other year an examination which took place this year. The result corresponded with the expectation, and proved the progress of the pupils, which compensates to the town for the sacrifices made for its academy.

*The School of Drawing at Lierre.*

It is frequented by 210 pupils ; for want of space no more can be admitted. The inhabitants of all classes profit by this useful institution, enriched lately with a class of modelling, and is also to have a course of drawings from antique figures. Therefore the administration solicits from the deputation the continuation for 1837 of the subsidy of 300 francs, granted last year.

*School of Drawing at Turnhout.*

The school of drawing at Turnhout, frequented by 114 pupils, is divided into four classes, where they teach perspective, architecture, regular architecture, the orders of architecture, and figures.

The deputation will immediately apply itself to the annual subsidy which it has bestowed on this school, and application will be made to Government to obtain in its favour an allocation upon the public treasury, in order, at the same time, to enable the council of administration to give to the instruction all the desirable improvements.

*New Schools to be formed.*

Some of the great communes have expressed a desire to have among them a gratuitous school, where would be taught the principles of drawing, of figures, of architecture, and of ornament. The deputation will examine if it will not be proper to require that young artists who receive subsidies from Government and the province, should give instructions in those establishments of the art which they profess. The superintendent of the roads of the province could also be enjoined to overlook and direct the elementary instruction in the art of building. These communes

have already the buildings necessary, and they only want a small assistance to procure the furniture.

*Encouragements for the Fine Arts.*

Upon the allocation carried to the provincial budget of 1837, for the encouragement of the fine arts, the deputation has granted to the Royal Society a sum of 1,000 francs, to assist it in the expenses of the examination and exhibition of the month of August next. The same society has just obtained from Government another subsidy of 3,000 francs.

The deputation has subscribed out of the provincial funds for three copies of the work which Mr. Serrure, the architect, intends to publish concerning the tower of the cathedral of Antwerp. It has, besides, endeavoured to give encouragement to young artists not much favoured by fortune, by subsidies of from 100 to 200 francs; it is required for each claimant to finish before the end of 1837 a work of his own choice, and which will remain his property. The musical artists are alone exempted from this condition.

Independently of these subsidies, the deputation has placed at the disposal of the Academy of the Fine Arts at Antwerp, a sum of 600 francs, to be distributed amongst the pupils found to be the most distinguished during the examination.

The Society of Sciences, Letters, and Fine Arts, who will have the glory of erecting a statue of Rubens, have asked for a subsidy upon the provincial funds, the produce of the subscription it has opened not being sufficient to cover the expense of the monument.

The deputation has considered that the province could not remain indifferent to such a patriotic work, and enlightened by fresh intelligence, it proposes in the budget of 1838, which will soon be submitted to you, a first allocation of 2,500 francs, which may be renewed next year.

*Tower of Mechlin.*

The attention of the public has been recently awakened upon

the important project, which would do the greatest honour to regenerated Belgium—the completion of the Tower of Mechlin. Finished according to the original plan, this tower, of a construction at once original and elegant, would be one of the finest monuments of gothic architecture in Europe.

Amongst the acts which reflected the most honour on the sovereign of a neighbouring country, where the Protestant religion is that of the state, was the completion of a cathedral, celebrated among the grandeurs of catholicity. Shall Belgium, where religion and the arts have been retained in all their purity, and continue always with the same brilliancy, shall she alone be incapable of following this example? From the Report of the provincial architect sent by the deputation to the spot, the Tower of Mechlin is now 350 feet high; it wants to complete it about 270 feet.

For many years past, the tower annually has works going on at the summit, and it does not appear that each foot of the height of the renewed part has cost more than 3,000 francs. Calculating upon this statement, and taking into consideration that the circumference diminishes as it gets higher, the architect is of opinion that a million francs would be sufficient to finish the monument.

Opinions may vary upon the amount of the expense; but were it double, the means of execution should not be despaired of, if, as we believe, we might reckon upon the assistance of the Government, of the town of Mechlin, of the clergy, and upon the gifts of individuals.

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## RELIGIOUS WORSHIP.

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### *Salaries and Subsidies.*

From the last statement sent to the Department of the Interior, the annual salaries paid out of the funds of the treasury to the

members of the Catholic clergy of the province amounts to the sum of 300,197·50 francs.

|                                                                     | Francs.  |
|---------------------------------------------------------------------|----------|
| Salary to the archbishop . . . . .                                  | 21,000   |
| Subscriptions, travelling expenses and secretary's office . . . . . | 4,600    |
| 3 Vicars general . . . . at 3,600 fr. each                          | 10,800   |
| 11 Canons . . . . . at 2,400                                        | 26,400   |
| 10 Curates of the first class at 2,047·50                           | 20,475   |
| 11 Curates of the second class at 1,365                             | 15,015   |
| 122 Clergy (Desservants) . at 787·50                                | 96,075   |
| 48 Chaplains . . . . . at 500                                       | 24,000   |
| 156 Vicars . . . . . at 600                                         | 78,000   |
| 10 Assistant Priests . . at 210                                     | 2,100    |
| Supplement to the salaries . . . . .                                | 1,732·50 |

The annual subsidies allotted to the other religious amount to 5,400 francs for the Protestant worship, and 2,000 for the Anglican worship.

### *Churches.*

In many communes the size of the churches are no longer calculated for the population; and the resources of these communes, joined to the church revenues, not being equal to meet the expenses that would be necessary for the enlargement of these edifices, the deputation has thought it necessary to increase the sums destined for this branch of expenditure, and for this purpose it has proposed a sum of 20,000 francs in the budget of 1838.

### *Legacies and Donations.*

From the article 76, sec. 3, of the communal law, the questions concerning the acceptation of legacies or donations to the communes, or to establishments which belong to them, are subject to the approbation of the king, when the value exceeds 3,000 francs; whilst for the acceptation of gifts, or legacies of inferior nature, the authority of the deputation of the provincial council is sufficient.

|                                                                                                                                                                                                                                                                                            | Capital.<br>Francs. | Interest<br>Francs. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| The number of legacies and donations given to the revenues of churches in the province, and of which the king has authorized the acceptation, has amounted in 1836 to nine: these liberalities consist of property, rents or funded property; the value of six of them is estimated at . . | 19,000·54           | 816·45              |
| Those of the others, which consist of landed property more or less considerable are unknown. .                                                                                                                                                                                             |                     |                     |
| The authorities granted by the deputation are 18 in number. The endowments which are the object of them consist also of such property, rents or funded, of which the value is estimated at . . . . .                                                                                       | 25,332·19           | 927·39              |
| Total francs . .                                                                                                                                                                                                                                                                           | <u>44,332·73</u>    | <u>1,743·84</u>     |

In general these legacies and donations are burthened with charges more or less heavy, consisting of religious services, but these charges are far from absorbing the annual revenues which the legatees of church property may derive from the liberalities bestowed on them.

#### *Commerce.*

During the year 1836 a great impulse was given to all commercial operations. The prices of almost all the foreign commodities had risen very high, but the means of those who consumed them were not equal to such an exaggerated height. The result was an almost sudden fall from 30 to 40 per cent.

Another event prepared incalculable losses to commerce. North America has been the theatre of an unprecedented catastrophe of failures which have given a fatal blow to commerce. A prompt payment might restore the equilibrium, but would not be less costly for Europe, so much interested in the prosperity of America.

However, the European Continent has comparatively suffered less than America, and therefore it is that Antwerp, working\* with its own capital, has been able to preserve intact its commercial honour, and to meet the considerable losses that the inordinate speculations of other maritime countries have caused it to suffer; it has furnished on this occasion a new proof of solidity and integrity. In the midst of all these disasters it has always had an abundance of cash. No failure of any importance has been announced, and a greater regularity has reduced the number of actions at law.

1,096 vessels have entered the port of Antwerp in 1835, amounting to 147,307 tons burthen; in 1836, 1,159 vessels, amounting to 170,885 tons burthen: difference in addition 63 vessels, and 23,578 tons. The produce of the custom duties have amounted,

| Francs. |     |              |
|---------|-----|--------------|
| In 1834 | to  | 2,940,406·21 |
| 1835    | , , | 2,679,453·31 |
| 1836    | , , | 3,053,164·39 |

The principal merchandise imported has consisted of woods for dyeing, coffee, cottons, dried hides, iron, grains, oil, potash, salt, sugar, tobacco, and wine.

The exportation of the produce of Belgium by the port of Antwerp has been considerable; at the same time it must be admitted that all which formerly passed, without payment of duties of exportation, out of the Belgian provinces, towards the Dutch provinces, appear at present in the statistics of exportation. The exported merchandise consists principally of arms, nails, chicory, bark of trees, cloths, linens, flax, refined sugar, tissues, nets, laces, grains and flour.

A new object of commerce, *flour*, appears among our exports. The harvest in the United States having been insufficient, we have directed some convoys to different countries in America, who have been hitherto accustomed to provide these commodities exclusively from North American ports.

If our flour has been advantageously disposed of in America, this outlet is not permanently acquired. To preserve it we must consider how far it will be useful to submit, in the same manner as is done in the United States, to its being examined in the Belgian ports, in order that it may obtain the degree of confidence and value which its superior qualities lead us to expect. The provisional admission of our flag to the United States, upon the same footing as that of our neighbours, has caused these exports, and which have procured for it very high freights. It is very much to be desired that a regular treaty shall soon cement our commercial relations with that country, establishing definitively the principle of perfect reciprocity.

The transport towards the Rhine, notwithstanding the new law yielded to the wants of commerce, is still but trifling. The expenses of transportation from Antwerp towards Cologne remains too high. The railroad only can make us contend with Holland. It is a powerful motive for Government to push on the execution with all possible speed.

It would be very satisfactory to commerce to see Belgian envoys at Berlin, for the special purpose of forming commercial relations with Prussia.

The exclusive measures with which the Belgian flag was met momentarily in England have been suspended. It is earnestly to be desired that a definitive arrangement between that country and ours, destined to have such intimate and multiplied connexions, should be entered into, which at the same time that it would strengthen our political ties, would produce reciprocal advantages. We shall say the same concerning France, with which Belgium is at present, in what concerns its commercial and maritime relations, in a state of partial hostility, which, if continued, can only be prejudicial to both countries.

One great question, that of sugars, is now pending before the Houses. We flatter ourselves it will be settled in a manner conformable both to the wishes and interests of our industry and our maritime commerce. The Chamber of Commerce, consulted upon the different modifications proposed to the law concerning sugars, by the agent of some of the representatives, has considered them to be inadmissible and ruinous.

### *Agriculture.*

We have taken the following accounts from a Report which the Agricultural Commission has made to us. The results of the last crops have been in every respect satisfactory. The *cereals* have been as fine in 1836 as the preceding year, and even produced more, with the exception of the oats deteriorated by the continued and abundant autumnal rains; those that ripened later were of very indifferent quality.

The *feveroles*, that exclusive produce of our polders, have suffered considerably from the almost perpetual damp of the atmosphere. Beans have not ripened sufficiently, and their preservation has been difficult. *Potatoes* have yielded a fine abundant crop. The produce of *flax* has generally been satisfactory; the cultivation of it is evidently much increased in this province. The market of Mechlin becomes important by the great quantity of thread-linens which are on sale.

As the *flax* which is gathered in annually very much exceeds the wants of the manufactories, this product is exported into England very advantageously, and increases our trade.

Some plantations of *tobacco* have been attempted, but generally the soil does not appear fit for it. The winds and rains have much injured this plant.

The old *madders* have yielded a quarter less this year than usual, but the quality has been very good. The young plants put in the ground have taken well, a promise for next autumn of an advantageous crop. It is not the same with such as have been put in this year; the severe season having been prolonged, the madders have shot out late, and the approach

of the hot weather gives a fear that the buds may be nipped; however, it would be premature to give a decided opinion on the subject.

Owing to the high price of madder in the trade, the cultivation of this precious production decreases gradually. Some persons employ the roots introduced from Zealand in preference. The submersion of one part of our polders has taken away some land that was generally set apart for their cultivation.

*Chicory* had increased considerably for some years, and had partially replaced madder. The high duties with which it is taxed at present on its entering England must necessarily diminish the cultivation of this root. However, perhaps, this exportation is not yet to be given up. Finally, we learn, that the attempts to sow chicory in some grounds which appeared to promise success have failed, and that lately the use of this production has become very general amongst the lower classes, so much as to be almost a necessary article of life.

The cultivation of *beetroot* is still very insignificant in this province, notwithstanding the attempts that have been made. This root is only used here for fattening cattle, and the Commission of Agriculture doubt, that, without extraordinary circumstances, it will ever obtain with us any other destination. It is also of opinion, that agriculture is not much interested in the question of the manufacture of indigenous sugar.

The crops of *rape* have been inferior to that of a common year, but the grains were large and very oily. Those of this present year have a favourable appearance.

The summer *fodders* have been very abundant.

The *hay* has yielded a very abundant crop, but the haymaking season has not been generally favourable; from which arises the variety that appears in the quality and price of hay. The *after grass* has been but inferior; the backward season having been cold and damp, the large cattle turned out to pasture at that time of the year have fattened with difficulty.

The foreign grains and seeds which the Government sent to the Commission, who distributed them, have allowed of several

new products being introduced, if not in the large scale of cultivation in the more private. Some have taken well to the climate immediately, and will preserve their peculiar good qualities.

Others seem neither to suit the soil or climate. During the last few days the appearance of the next crop is becoming exceedingly favourable, and the fears that were occasioned by the extraordinary duration of the severe season, and the influence it had upon vegetation, are quite dissipated.

The healthy state of the horses and cattle was last year very satisfactory, and continues the same.

The glanders, as it does every year, has taken off some horses, but without taking an epidemical character; 27 horses were killed by order of the competent authorities; they were valued at 11,000 francs; the indemnification allotted to the owners was 1,849·98 francs. Five cows only were killed; the value was estimated at 844 francs, and the owners obtained an indemnification of 178·50 francs.

The *pleuropneumonia*, which must not be confounded, notwithstanding its analogy, with the *peripneumonia*, which seems still to exercise its ravages in Flanders, has only appeared at rare intervals. It had no other cause than the bad state in which the cattle were kept. The Agricultural Commission has neglected no pains in order to extirpate this very disastrous disease \*

\* \* \* \* \*

A project of regulation for the improvement of the breed of black cattle has been recently sent to us by the Agricultural Commission. This project appeared to us to deserve a full examination, and our intention is to call round us the intelligence of the local authorities, and to consult each of the Provincial Council individually, in order to be able to present to the Council in its session of 1838 a well-considered statement.

The Commission assures us that the re-establishment of the tax upon horses and large cattle is generally called for by the agriculturists and the farmers themselves; this measure would enable the province to encourage more efficaciously than it has

hitherto done, several branches of agricultural and rural economy, which deserve every attention, and in the first rank we class the improvement of the breed of horses and cattle.

Already in the last Report the deputation has signified to you the small number of authorized veterinary surgeons. Few provinces are so badly off in this respect as ours, and the pupils that belong to it at the veterinary school are few in number. It therefore becomes urgent to encourage the veterinary study, by endeavouring, by means of large subsidies, to prevail upon the young men of our province to frequent the state schools.

### *The Market Prices.*

The four towns of the province address every fortnight to the provincial administration a statement of the lowest prices of grains and other provisions sold at their markets. These statements serve for the basis of that which they transmit monthly to the Minister of the Interior.

The following comparative tables are the copies of these statements for the years 1835 and 1836.

| Articles of Consumption. | Measures or Weights. | Total of the Quantity sold, 1835.           | Prices for the Year 1835. | Total of the Quantity sold, 1836.           | Prices for the Year 1836. |
|--------------------------|----------------------|---------------------------------------------|---------------------------|---------------------------------------------|---------------------------|
|                          |                      |                                             | Francs.                   |                                             |                           |
| Wheat . . . .            | Hectolitre           | 31,888                                      | 15.46                     | 30,754                                      | 16.94                     |
| Rye . . . .              | ,,                   | 30,596                                      | 8.59                      | 32,720                                      | 9.72                      |
| Buckwheat . . .          | ,,                   | 16,152                                      | 9.93                      | 15,605                                      | 10.31                     |
| Oats . . . .             | ,,                   | 18,550                                      | 6.90                      | 18,177                                      | 6.69                      |
| Potatoes . . .           | ,,                   |                                             | 3.87                      |                                             | 3.95                      |
| Hay . . . .              | 100 Kilos,           | The tables do not give the quantities sold. | 6.96                      | The tables do not give the quantities sold. | 5.84                      |
| Straw . . . .            | ,,                   |                                             | 4.22                      |                                             | 3.42                      |
| Large grain of rape      | Hectolitre           |                                             | 29.47                     |                                             | 30.66                     |
| Linseed . . . .          | ,,                   |                                             | 25.20                     |                                             | 22.66                     |
| Turnip . . . .           | ,,                   |                                             | 34.32                     |                                             | 39.39                     |
| Oil of rapeseed .        | ,,                   |                                             | 96.83                     |                                             | 97.49                     |
| Flax oil . . . .         | ,,                   |                                             | 89.25                     |                                             | 95.28                     |
| Turnip oil . . .         | ,,                   |                                             | 89.02                     |                                             | 96.39                     |

*Benevolent Institutions.*

The situation of the hospitals in regard to the population, and their expenses during 1835, has sustained, comparatively to the years 1834 and 1835, little change; the tables which follow show their situation.

TABLE showing the Average Population of the Hospitals, and the Amount of the Expenses attached to these Establishments, during the year 1836:—

| Towns<br>or<br>Communes.                      | Number of<br>Hospitals<br>existing. | Average<br>Population. | Amount<br>of<br>Expenses. | Observations. |
|-----------------------------------------------|-------------------------------------|------------------------|---------------------------|---------------|
|                                               |                                     |                        | Francs.                   |               |
| Antwerp . .                                   | 31                                  | 2,610                  | 455,257·49                |               |
| Mechlin. . .                                  | 7                                   | 625                    | 153,775·52                |               |
| Lierre . . .                                  | 8                                   | 151                    | 43,626·70                 |               |
| Turnhout . .                                  | 4                                   | 112                    | 28,029·66                 |               |
| Total . .                                     | 50                                  | 3,498                  | 680,689·37                |               |
| Commune rural,<br>arrond. of<br>Turnhout. . } | 4                                   | 51                     | 11,390·17                 |               |

It is to be noticed that at Antwerp the number of individuals assisted by the Mendicity Society, and the amount of the succours, granted in 1836, have sustained, comparatively with 1835, a sensible diminution. In the other towns of the province the situation of the Mendicity Society, under either one or other Report, present little variation.

In the rural communes the number of individuals who have had recourse to public charity during 1836 surpass that of the persons who were assisted in 1835; it is not the same under the Report of the succours granted, as the amount of those last, for 1836, has even been less than that of the distributions made in 1835.

STATEMENT showing the Number of Individuals relieved, and the Amount of the Succours distributed by the Mendicity Society, during the year 1836 :—

| Towns and Communes.  | Number of Individuals relieved. | Amount of Succours distributed. | Observations. |
|----------------------|---------------------------------|---------------------------------|---------------|
|                      |                                 | Francs.                         |               |
| Antwerp . . . .      | 15,538                          | 165,920·29                      |               |
| Mechlin . . . .      | 4,585                           | 82,014·65                       |               |
| Lierre . . . .       | 1,048                           | 41,641·74                       |               |
| Turnhout . . . .     | 1,767                           | 17,983·00                       |               |
| Total . . . .        | 22,936                          | 307,559·08                      |               |
| Arrond. of Antwerp . | 4,193                           | 91,582·17                       |               |
| ,, Mechlin .         | 4,117                           | 53,917·42                       |               |
| ,, Turnhout.         | 3,845                           | 63,615·50                       |               |
| Total . . . .        | 12,155                          | 209,115·09                      |               |

The number of legacies and donations which have been given to the hospitals and mendicity societies in 1836 amount to 15. They consist of landed property, revenues, and capital.

|                                                                                                                 | In Capital.<br>Francs. | In Interest.<br>Francs. |
|-----------------------------------------------------------------------------------------------------------------|------------------------|-------------------------|
| The acceptance of three of these legacies have been authorized by the King, the value is estimated at . . . .   | 10,451·70              | 470·32                  |
| For the others the authority of acceptance was granted by the deputation. They are valued altogether at . . . . | 15,859·31              | 710·55                  |
| Total . . . . .                                                                                                 | 26,311·01              | 1,180·87                |

Amongst the legacies and donations of the last class there are seven which have been made purely gratuitously.

The value amounts to . . . . 9,269·36 427·09

The others are burthened with charges more or less heavy, but

which in no case reach the amount of the produce of the donation.

In comparing the result with those of 1834 and 1835 we find the proof that the sources of liberality for the benevolent establishments of this province have been more fruitful in 1836 than in the two preceding years. In reality, the value of goods and of capital which were left to them in the year 1836, reach very nearly to the amount of the legacies and donations made in their favour during the two foregoing years together.

The budgets of the Mendicity Society, for the year 1837, were made up at the same time with those of the communes.

The accounts of the same establishments, for 1835, are at present regulated by the deputation of the provincial council. The table that follows shows the result.

|                             | Receipts.  | Expenses.  | Surplus.  |
|-----------------------------|------------|------------|-----------|
|                             | Francs.    | Francs.    | Francs.   |
| Arrondissement of Antwerp . | 153,525·09 | 113,513·92 | 40,011·17 |
| ,,    Mechlin .             | 105,205·14 | 84,305·95  | 20,899·19 |
| ,,    Turnhout .            | 135,862·81 | 111,904·24 | 23,958·57 |
| Total . . .                 | 394,593·04 | 309,724·11 | 84,868·93 |

If we compare this table with that published last year, for the year 1834, we find a difference at least as considerable in the receipts as in the expenses.

It proceeds from this, that, in 1833 and 1834, many quit-rents in arrear to the charitable establishments were paid by the debtors.

#### *Foundlings and Deserted Children.*

The expense of the maintenance of foundlings during the year 1836 has, at Antwerp, exceeded the provision of the budget.

The accounts of that year has been made up with a deficit of 2,689·71 francs.

On the contrary, at Mechlin, the account left a surplus of 649·73 francs.

The budgets established for the year 1837 have been made up as follows :—

|                                                       | Francs.   |
|-------------------------------------------------------|-----------|
| That of Antwerp, for a number of 551 children, at .   | 29,012·47 |
| That of Mechlin, for a number of 107 children, at .   | 5,070     |
| The average of this expense costs Antwerp . . .       | 52·65     |
| ,,                 ,,                 for Mechlin . . | 47·38     |

The admissions which have taken place during three years at the Foundling Hospital at Antwerp sensibly affect the expenses, as they exceed the departures. The cause is attributed to the continuation of the Turn, and the facilities which it offers, not only to the communes of this province, but to those of eastern Flanders, of depositing infants which, without this circumstance, the law used to put to their charge.

At Mechlin the result is quite the reverse. It is considered that by the 1st of next January, the number of foundlings will not be more than about 60, and the expense will be reduced nearly 1,500 francs.

The maintenance of deserted children being by the law of the 31st July, 1834, placed to the charge of the communes, the accounts and budgets relating to them have been definitely settled by the local administrations. At Antwerp, in 1836,

|                                     |           |
|-------------------------------------|-----------|
|                                     | Francs.   |
| The receipts have amounted to . . . | 19,343·80 |
| The expenses to . . . . .           | 18,151·94 |
|                                     | <hr/>     |
| Surplus francs . .                  | 1,191·86  |

The budget of 1837, calculated for the number of 423 children, amounts to 19,350·83 francs.

At Mechlin the expenses during the same year 1836 amounted to 7,719·42 francs, and have exceeded the receipts by 168·90 francs.

The budget for 1837, calculated for 130 children, amounts to 8,490 francs, including the deficit of the preceding year.

*Monts de Piété.*  
Comparative and Summary Table of their operation during the years 1835 and 1836.

| Monts<br>de Piété. | Number of<br>Pledges<br>deposited during<br>the years |         | Increase<br>in<br>1836. | Amount of<br>Capital lent upon<br>Pledges<br>during the years |              | Increase<br>in<br>1836. | No. of Pledges<br>withdrawn. | Amount with-<br>drawn. | No. of Pledges<br>sold. | Amount of the<br>Sales. | Average value of<br>each Pledge sold. | Observations.                                                                                                                                                                                                                |
|--------------------|-------------------------------------------------------|---------|-------------------------|---------------------------------------------------------------|--------------|-------------------------|------------------------------|------------------------|-------------------------|-------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    | 1835.                                                 | 1836.   |                         | 1835.                                                         | 1836.        |                         |                              |                        |                         |                         |                                       |                                                                                                                                                                                                                              |
| Antwerp .          | 65,247                                                | 172,112 | 106,865                 | 1,313,925·00                                                  | 1,360,350·00 | 46,325·00               | 160,180                      | 126,997                | 3,588                   | 82,114·67               | 9·56                                  | Deducting the expense of the ad-<br>ministration and the interest of<br>the capitals which constitute<br>the endowments of these esta-<br>blishments, their benefit has<br>been—Antwerp . 26,402 francs<br>Mechlin . 2,600 „ |
| Mechlin .          | 38,882                                                | 62,475  | 23,593                  | 245,807·00                                                    | 268,874·00   | 23,067·00               | 57,315                       | 246,987                | 3,881                   | 16,180 41               | 4·16                                  |                                                                                                                                                                                                                              |

*Provincial Dépôt of Hoogstraten.*

This establishment is placed under the superintendence of a council of inspection, presided over by a member of the deputation.

The number of individuals in this dépôt amounted, on the 1st of January 1836, to 265 persons of both sexes, of whom 108 were capable, and 157 disabled. In this number of 265 were included 35 children under 15 years. - During the year 1836, 60 able individuals have been received, and 87 invalid ; in all 147 confined, of which 99 upon their request, 23 by judgment, 25 transferred.

The number of those set at liberty during the same year was 64 individuals of both sexes. Each one on going out was possessed of a pittance resulting from their labour during their confinement, and which might be to many of them the means of procuring work on their return to their places of settlement or domicile. The person confined, whose reserved sum exceeds 40 francs, only receives, upon leaving, a sufficient sum to enable him to reach his parish. There the surplus is remitted to him through the local authority, to whom it is sent by the direction of the dépôt through the medium of the provincial government. By means of this arrangement, which is for the interest of the liberated person, especially if he is the father of a family, the local authority can attend to the manner in which he employs it, for the benefit of his family, and exercise over him a benevolent patronage.

The number of persons in the dépôt was, on the 24th December 1836, 330, for the most part aged or infirm ; as by the existing regulations the beggars that are capable of working at agricultural labour are sent in preference to the colony of Merxplas, where the price of daily maintenance for the communes is much less.

The mortality has been, in 1836, greater than in the preceding year ; it is a *twentieth*. In 1835 it was only a *thirtieth*.

This difference of one year with another, which cannot be attributed to any malignant disease, appears to have no other cause than age and infirmity.

The expenses of the dépôt of Hoogstraten, for the year 1836, have been calculated upon a presumed population of 300 individuals. The price of the daily maintenance to be paid by the commune has been, like the preceding year, fixed at 32 centimes.

The dépôt of Hoogstraten subsists entirely on its own resources, and has not received in 1836 any subsidies from the province.

According to the accounts of the year 1836, the expenses have amounted to the sum of 57,386·38 francs, that is—

|                                | Francs.         |
|--------------------------------|-----------------|
| Extraordinary expenses . . . . | 5,985·80        |
| Ordinary expenses . . . .      | 51,400·58       |
|                                | <hr/> 57,386·38 |

Those confined have been occupied with cultivating the ground and making linen, of which the greater part is employed for the wants of the dépôt.

Agriculture, the principal object of industry in the establishment, continues to thrive; it has produced, in 1836, upwards of 13,000 francs. This result is chiefly owing to a larger quantity of manure, obtained by placing a platoon of cavalry in the interior of the dépôt.

The situation of the finances is very satisfactory; it has allowed, in 1836, of improving the building, as well as the dependencies. In 1837 other works will be executed, particularly to the buildings which serve for infirmaries, dormitories, barracks, &c.

By the terms of the law of the 13th August, 1835, the communes, where those that were confined had their domiciles, are directed to support the expense of their maintenance, the state having only the charge of those whose parishes are unknown. It is a heavy weight upon the rural communes. The deputation has endeavoured to lighten the burthen as much as possible, by receiving the petitions to put those confined at liberty, when it thought it might be done without detriment to society. The communes, with the idea of its costing them less to maintain their own disabled beggars themselves than to pay their expenses at

the depôt, appear, in general, not in a hurry to send them, and sometimes have them sent back as soon as they are sent there. It is also, we fear, not to be expected that many of the communal administrations will show much zeal for the extirpation of mendicity; it is an evil, however, for which a remedy should be found. The deputation intend to make this interesting part of the provincial administration the subject of deep examination.

*Agricultural Colonies of Wortel and of Merxplas.*

The administration of these colonies, independent of the provincial authority, is confided to a permanent commission of the *Benevolent Society*, who founded them. They are still in the same situation nearly as the last year. The number of persons in the depôt of Merxplas Ryckevorsel, was, on the 31st of December 1835, 250; on the 31st of December 1836, it was 244. The expense of maintenance amounted to 74·08 francs, by head and yearly, which comes to near 20½ centimes a-day.

On the 31st December 1835, the establishment of Wortel contained 270 inhabitants, and on the 31st December 1836 there were 269.

As to its property, it augments in value each year by the product of fir trees and by the improvement of the corn fields, to which the manure, furnished by a squadron of cavalry stationed at Merxplas, most efficaciously contributes.

The best order continues to reign in the colonies; instruction, given by a good tutor, seems to make good progress.

It is the same of the religious instruction confided to two almoners, partly provided for by the Benevolent Society and by the Government.

Not being able, for want of means, to extend the tilling of the heaths, the Administrative Commission has been satisfied with only cultivating the space of ground that the society has succeeded in clearing. It has, besides, to provide for the repairing of several buildings, of which the preservation is very expensive.

The expenses have also been considerably augmented this year by the losses sustained by the hurricanes of the 29th No-

vember, 1836, and of the 23d February, 1837, and which have been estimated at 12,000 francs.

*House of Correction of St. Bernard.*

The number of inmates of this establishment, on the 31st of December, 1836, consisted of 948. The average population, during all the year, was 888, of which 809 confined were adults, and 79 children.

The deaths amounted to 40, which establishes a mortality of  $4\frac{1}{2}$  upon the average population. The rations of bread for those confined have been increased a fifth of a kilogramme, several governors and physicians of the prisoners having declared the ration of half kilogramme not sufficient for many men.

As to the order of discipline, the House of Correction of St. Bernard leaves nothing to be desired. The discipline to which the prisoners are subject has been rendered more severe, and the indulgences which had been, perhaps, too much granted to the confined, have been, in great measure, put an end to. In this manner has been, generally, interdicted the use of spirituous liquors, and the quantity of beer restricted to a pint, which the prisoners may procure for themselves at the beer shops belonging to the establishment.

The relapsed criminals receive no payment for their work, unless they have performed the weekly task fixed upon each, according to their strength and expertness.

The cells of punishment, as they are constructed, admit of oral communication between those that are confined and only separated by a partition of planks; therefore the infliction of this punishment produced little, if any, effect, especially upon hardened criminals, who take a kind of glory in triumphing over their punishments. The Administrative Commission has felt the necessity of employing more effectual means of separation, and it has found them in establishing more isolated cells, where all communication is impossible. Some days of detention in these places are sufficient to reduce the most unmanageable spirits, and those who

have refused all kind of labour, at the end of a short time entreat to be occupied, in order to distract them from the dreadful state they undergo. It is much to be wished that all the cells could be constructed in this manner; it would allow of great reductions in the applications and the duration of punishment.

The projected separation between the relapsed and those who are expiating for the first time has been tried, and has already produced good results. The more austere discipline of the second class, make the first dread to be sent; and the others, to procure themselves some relief to their punishment, and to be comprehended on the propositions of pardon, where the prisoners of the first class only appear, endeavour by their conduct to merit this promotion. If those motives are insufficient to produce a radical reform, at least they produce an improvement in making those confined contract orderly habits of work and of conduct, which must always lead to their liberation.

The quarter for the children, which allows of most hope, is the subject of the particular solicitude of the Commission. Notwithstanding its recent establishment, it has already received from many of them the reward of its exertions. Upon 24 of the young liberated, who, from the proofs of repentance they had shown, it had considered itself justified in recommending to the burgo-masters of their respective communes, 13 have been exemplary in their conduct, and 6 have given satisfaction, 3 have been tolerable or doubtful; 5 only have behaved ill, and are or will shortly be confined in prison. And again, the great part of the relapses of these last may be attributed to the bad conduct of the parents, or to the want of work and superintendence, in consequence of the neglect of the local authorities. The Commission had occasion to perceive, from their own observation, that in exciting a strict superintendence upon the youths who were liberated, in giving them from time to time some friendly counsels, and above all in having constant care to provide them with work, it was rare that those that had shown a repentance should fall back into vice.

The prejudice which rejects for ever the man who has committed a fault, but has expiated it, is very much against the reform of the guilty, as it raises between them and society a barrier that they cannot break through, and the mistrust, the almost universal reprobation they inspire, is but too often the cause of fresh delinquency. It belongs to Government to enlighten public opinion on this subject. If it succeeds, if the criminal at his leaving prison, instead of the feelings of repulsion, which he has hitherto met with, finds forgiveness and protection, if they give him facilities for procuring a supply for his wants by his labour, we may safely predict that the number of relapsed prisoners, always on the increase, will very soon diminish.

*Sanitary Service.*

Conformably to the article 25 of the Royal Decree of the 31st May, 1818, the list of persons allowed to exercise the different branches of medicine, are annually appointed at the beginning of the year by the deputation.

The examination of the lists for the years 1836 and 1837 has given the following result:—

| Year 1836.         |                         |           |              |                   |               |            |                    |           |
|--------------------|-------------------------|-----------|--------------|-------------------|---------------|------------|--------------------|-----------|
|                    | Doctors in<br>Medicine. | Surgeons. | Accoucheurs. | Army<br>Surgeons. | Apothecaries. | Druggists. | Women<br>Midwives. | Dentists. |
| In the towns . . . | 55                      | 27        | 10           | 5                 | 73            | 12         | 11                 | 3         |
| Communes Rural . . | 84                      | 45        | 28           | 10                | 23            | —          | 11                 | —         |
| Year 1837.         |                         |           |              |                   |               |            |                    |           |
| In the towns . . . | 55                      | 31        | 11           | 6                 | 70            | 10         | 11                 | 4         |
| Communes Rural . . | 88                      | 42        | 30           | 17                | 24            | —          | 10                 | —         |

The execution of the laws upon the practice of the medical art is properly superintended by the medical commission of the province.

This Commission complains of the sufferance of some of the local authorities, who permit empirics to traverse the communes, and abuse with impunity the credulity of the people. It appears that in some localities, women practise, without being authorized, as midwives.

The sanitary state of the province has been in general very satisfactory during the year 1836. No contagious malady has appeared, nor any case of Asiatic cholera.

An intermittent fever has raged with much intensity at Antwerp, principally along the Scheld and the Ramparts. The development of this epidemic is also attributed by the Commission to the marshy exhalations of the fosses of the town, of which the waters want a communication with the Scheld, in order to be renewed, particularly during the heat of summer.

The small-pox has not made more ravage in the year 1836 than in the preceding years; but the number of vaccinations, which in 1835 had amounted to 6,668, has decreased in 1836 to 5,412, of which 4,609 have been performed gratuitously, and 803 paid for. However, it may be that this diminution is only apparent, as the vaccinators often neglecting to inform the local authorities of their operations, the numbers which these transmit are not always strictly exact.

On the other hand it cannot be dissembled, that in many of the rural communes the benefit of vaccination is not properly appreciated. The Medical Commission not having yet sent to us the amount of the vaccinations performed by the cantonal vaccinators during 1836, the premiums to be allowed to these last have not yet been distributed.

By the terms of the 9th article of the Royal Decree of the 18th April, 1818, there is granted every year a golden medal to the physicians and surgeons, who propagate vaccination with the most zeal and disinterestedness. By the Royal Decree, dated the 15th October, 1836, this medal has been given :—for the year 1834, to  
Messieurs— \* \* \* \* \*

The sanitary measures prescribed in regard to the arrivals which come from places reputed suspected are strictly observed.

The project of a tariff table for collecting the expenses of visiting vessels sent to the Minister of the Interior during the course of 1836, has not yet been adopted. We suppose that the department proposes to present to the Houses a project of law to that effect, which interests commerce so much.

If the second visit, which the vessels already submitted to quarantine at Flushing are subject to, on the approach to Antwerp, be considered indispensable, commerce will see with satisfaction the establishment, on the borders of the Scheld, of a lazaretto, proper to receive the cargoes which are to be fumigated or purified. These operations are gone through in the river by means of lighters, which excite with great reason the complaints of the merchants, who have to endure on this head considerable expense, amounting sometimes from 3 to  $3\frac{1}{2}$  per cent.

*Inundation by the Water of the Polders of Lillo.*

The inundation of the Polder of Lillo took place in the month of May, 1831. It is confined to the south by the dykes of Ordam and Ellenhoven; to the east by that of Stabroeck; and at the north by those of Beerindrecht and Santoliet.

Their great circumvallation, which has not less than four leagues of developement, forms what is termed the embankment of Lillo. The last Report explains by what concurrence of circumstances the lowering of the inundation did not take place in the years 1831 and 1832. The second expedition of the French into Belgium made the evacuation of the forts by the enemy upon the Scheld to be considered near at hand; but this hope was not realized, and entirely vanished when the *statu quo* was maintained by the Convention of the 21st May, 1833. From this moment the Government contemplated the construction of a semicircular dyke of 1,500 yards from Fort Lillo. But the execution of the works was subordinate to the authority of the governor of this fort, and the administration of the bridges and roads attempted in vain to open some communication with him.

It then became necessary to have recourse to the intervention of two friendly powers, who succeeded in overcoming the difficulties. Commissioners were named. They were Mr. Teichmann for Belgium, and Colonel Wanderwyck for Holland. They met the first time at Putte, the 13th June, 1836.

The Belgian Commissioner demanded the establishment of the dyke which had been projected three years before. On the 5th of August the Dutch Commissioner, in the name of his Government, authorized the execution of this project, but under several conditions. The forts La Croix and Frederick-Henry were to be destroyed so as never to be re-constructed again, unless above their present position. The re-establishment of the first was not to take place unless at a distance of 250 yards. Besides, no fortification was to be established round Lillo at a less distance than that existing between Fort Lillo and La Croix, augmented by 250 yards. The Belgian Government having at first opposed the destruction of the Fort La Croix, the negotiation continued; and the 19th January the Commissioners signed at Merxem a Convention for the construction of a bar dyke of 2,500 yards from Fort Lillo. This dyke only allowed the draining of about two-thirds of the Polder; whilst the first project was to have restored to cultivation the most part of the inundated lands, and recover the hamlet of Konigsweg and a great many farms.

The Government, in laying before the Houses the state of things, left the option between the three following determinations:

First. To construct the inner dyke at 2,300 yards from the fort, according to the conditions determined by the Convention of 19th January, 1837.

Second. To construct the inner dyke at 1,500 yards from the fort, according to the conditions proposed in the note of the Dutch Commissioner of the 5th August, 1836.

To remain in the *statu quo*, by enabling the Government to keep up and strengthen properly the actual embankment, and by granting sufficient aid to the inhabitants expelled and the proprietors dispossessed by the inundation.

The first hypothesis appeared to have the chance of being adopted; and the deputation, which was against it, determined to make representations on this subject to the Minister of Public Works, when the terrible tide of the 24th of last February unsettled all by bringing fresh disasters.

The dyke of Stabroeck, too weak to resist the impetuosity of the waters, gave way, and the territory of the commune of this name was in most parts flooded. The inhabitants had scarcely the time to save what was most valuable, and took refuge in the upper stories of their houses. Happily no one perished.

The weakness of the embankment of Lillo was therefore clearly demonstrated; and it was not possible to be deceived as to the imminent dangers attending the neighbouring Polders. The dyke of Ordam had been nearly carried off; and had that happened, the waters, not finding any more obstacle to restrain them, would have covered all the intermediate space between the Polder of Lillo and the town of Antwerp. On the other hand, the reinforcing eventually the dykes of circumvallation did not present the same security as before the 24th February. This work would be much more considerable than was first imagined, and would cost as much, and perhaps more, than an inner dyke. Besides, it would be only a means of stopping the progress of the inundation, without causing it to cease entirely.

In this dilemma the deputation thought it might point out to Government the inconvenience of the state of things, and endeavour to find a remedy. Besides, it had received complaints from most of the communes menaced with dangers, and its duty prescribed it to intercede in their behalf. It first wished to gain every intelligence from the local authorities, and consult the dykgraefs and the proprietors; and when it thought itself sufficiently enlightened, it proposed to the Minister of the Public Works, in a detailed Report,—first, to hasten the adoption of a law intended to render justice to the victims of the havoc resulting from the political events; second, to pay particular attention to the situation of those sufferers by the inundation

of the Polders, that the Convention of the 2d May had condemned to suffer for the benefit of the whole country; third, to construct immediately an inner dyke in the Polders of Lillo, at the distance of from 1,500 to 1,700 yards from the fort; fourth, to strengthen in the promptest manner, and the most secure, the embankment of circumvallation, in the case that the inner dyke should not be constructed; fifth, in all suppositions, to have properly repaired, even this year, those parts of the embankment of which the dimensions are quite insufficient and the construction defective.

The 25th April the two Commissioners, who had resumed their conference, concluded a new Convention, by which Holland acquiesced in the construction of a dyke of 1,500 yards from the fort, upon certain heavy conditions for Belgium, but which the Dutch Government insisted upon as an equivalent to the concessions made on its part.

The Legislature, after a memorable discussion, ratified implicitly this Convention, by voting the funds required by Government to insure the execution.

Already before the ministry had made a call to contractors who would undertake the works, three candidates offered themselves for the construction of an inner dyke, either at 1,700 yards of the fort, or at 2,500 yards. In the first hypothesis they required as follows:—

|                      | Francs.      |
|----------------------|--------------|
| The first . . . . .  | 2,857,142·73 |
| The second . . . . . | 2,338,000·00 |
| The third . . . . .  | 1,820,000·00 |

None of these undertook to finish the works before 1838. Besides, the engineers made known that from the calculations of which the extraordinary tide of the 24th February had been the basis, the dyke to be constructed should have a yard or more in height than those proposed by the candidates. We do not know how far this circumstance prevented the immediate adjudication of the works. However, the deputation, in thanking the Minister for

his solicitude, expressed to him the hope that they would take advantage of the fine season to begin the works, and that the Government would use every effort to obtain the completion of the dyke in the course of the current year. It proposed to allow, in case of need, a premium to the person who should accomplish the task. But it soon heard that not only there was no hope of the completion of the works in the course of the year, but that the candidates, though raising their pretensions as to the price of the works at present, required three years for the completion of the dyke. In the midst of these exigences the Government announced the intention of having the works executed by an administration. The deputation applauded this resolution; and always impressed with the necessity of securing, without delay, the inhabitants of the Polders against the dangers to which they would be exposed by the return of the equinoctial tides, it required that the Government should not shrink from making great sacrifices to obtain a result so impatiently looked for,—and this is at present the state of things. It would have been more agreeable to us to have been able to announce to the inhabitants of the Polders the end of their sufferings and anxieties. If we are once more compelled to intercede for them, at least we feel the consciousness that we have neglected nothing to terminate a situation which none can more deeply deplore than we do.

#### *Population.*

The population of the province of Antwerp amounted on the 1st of January, 1836, to 356,893 inhabitants.

It increased in the course of last year by 3,287.

Consequently it amounted on the 1st January, 1837, to 360,180.

*Births and Deaths.*

The Report of Births and Deaths, in the course of the past year, presents the following results :—

| Births. |          |        | Deaths. |          |        | Number of Births exceeding Deaths. |
|---------|----------|--------|---------|----------|--------|------------------------------------|
| Males.  | Females. | Total. | Males.  | Females. | Total. |                                    |
| 6,086   | 5,715    | 11,801 | 4,386   | 4,096    | 8,482  | 2,619                              |

In the 11,801 children are comprised 871 children not born in marriage, that is, 404 males, and 407 females, or about one in 13 nearly. This proportion varies according to the localities.

In the town of Antwerp the proportion of illegitimate children are of . . . . . 1 out of 8

At Mechlin. . 1 „ 10

Lierre . . 1 „ 7

Turnhout . 1 „ 13

In the rural communes it gives the following result :—

Arrondissement of Antwerp 1 out of 24

Mechlin 1 „ 18

Turnhout 1 „ 16

*Marriages.*

The number of marriages contracted in this province have amounted to 2,778. Nearly equal to the number presented by the Tables of 1834, it is inferior to that of 1835, by 270.

*Registry.*

The Report of the Commissioners of the Arrondissement prove that the general registers are in general kept with regularity in the rural communes, as well as in the towns. The inspection exercised by the functionaries, and the instructions of the King's Attorney-General, have contributed to improve this very important branch of the public service. The Court of Appeal at Liege has proposed to the Government to write the

general registers of each commune of the kingdom by series of 10 years, which would correspond to the series of the Decennial Tables, by forming in each of these series so united a volume bound at the expense of the commune. This measure would be very useful for the preservation of those documents, and would facilitate the searches. The expense they would occasion might be defrayed by the state, in what concerns the registers deposited in the registry of the tribunals, and by the communes in what concerns the collections, of which they are themselves the depositories.

### *General Elections.*

In conformity with the Article 7 of the law of the 3d of March, 1831, the annual revision of the electoral lists took place first on the 13th of April, 1837, in the communes of the province.

We have reason to think that in general the most desirable regularity presides at this operation. In effect, we have received in all but six complaints. One individual complained of having been wrongly inscribed ; we had him effaced. Another protested against his omission, and we have replaced him in the number of electors, because, in the striking him out, the local authorities of the place of his abode had not fulfilled in his regard the formalities prescribed by the law of the 25th June, 1834. As to the four other complaints, all united the requisite qualifications to become electors, but as they had not applied to the communal council, or had not done so till after the expiration of the delay fixed for this purpose, the deputation, which only decides in cases of appeal, and upon the decision taken in the first place by the local administration, found itself unable to grant their requests.

The total number of electors amounts to 4,612, divided as follows :—

#### *Arrondissement of Antwerp.*

|                       |       |
|-----------------------|-------|
| Town of Antwerp . . . | 1,117 |
| Rural communes . . .  | 1,132 |
|                       | <hr/> |
| Total . . .           | 2,240 |
|                       | <hr/> |

*Arrondissement of Mechlin.*

|                       |              |
|-----------------------|--------------|
| Town of Mechlin . . . | 484          |
| Town of Lierre . . .  | 210          |
| Rural communes . . .  | 702          |
| Total . . .           | <u>1,306</u> |

*Arrondissement of Turnhout.*

|                        |            |
|------------------------|------------|
| Town of Turnhout . . . | 163        |
| Rural communes . . .   | 804        |
| Total . . .            | <u>967</u> |

Total for the province 4,612.

The lists of members eligible for the senate, as we have decreed for the year 1837, comprises 43 persons paying the taxes to the amount of 2,116·41 francs (1000 florins), to which have been added to complete it, conformably to the Article 42 of the electoral law, 14 individuals paying less than 1000 florins.

*Jurors.*

By the words of the Article 4 of the decree of the National Congress, dated 19th July, 1831, the deputation is bound to draw up, whenever it is requisite, the list of the persons proper to be jurors. It has contented itself hitherto to make but one examination a-year, by rectifying every three months after the changes pointed out by the local administrations. It has been frequently recommended to these administrations to give to their work all the attention due to its importance; but as each day some persons inscribed on the list die, change their abode, or in some other manner lose their eligibility for the functions of jurors, it is impossible to present to the court of assize a perfectly exact account.

For in admitting the exactitude of the materials furnished by each commune, a certain time is necessary to unite and separate them, it results that at the time of drawing for jurors, the list generally retains the names of some that have ceased to belong to it.

From the last examination, the list of jurors comprised 2,451 names, of which

1000 belonged to the town of Antwerp.

|     |   |   |          |
|-----|---|---|----------|
| 219 | „ | „ | Mechlin. |
|-----|---|---|----------|

|    |   |   |         |
|----|---|---|---------|
| 61 | „ | „ | Lierre. |
|----|---|---|---------|

|    |   |   |           |
|----|---|---|-----------|
| 47 | „ | „ | Turnhout. |
|----|---|---|-----------|

470 to the rural communes of the arrondissement of Antwerp.

|     |   |   |   |          |
|-----|---|---|---|----------|
| 304 | „ | „ | „ | Mechlin. |
|-----|---|---|---|----------|

|     |   |   |   |           |
|-----|---|---|---|-----------|
| 341 | „ | „ | „ | Turnhout. |
|-----|---|---|---|-----------|

## PROVINCE OF LUXEMBOURG.

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EXTRACTS from the Report on the State of the Administration  
of the Province in 1836.

### *Reorganization of the Provincial Council.*

The revolution of 1830, which was a social revolution, had overturned all existing institutions. All were to be re-established. After an interregnum of nearly six years the provincial organization was decreed by the law of the 30th of April, 1836. The people called to elect their provincial representatives chose well ; and the provincial council, proceeding from the direct election, at length assembled on the 6th of last October.

A session of 15 days was closed by an act of patriotism which will be long remembered by the Luxembourgeois,—the protestation against the dismemberment of the province ; the council separated, with the well grounded hope of seeing successively and soon realized the ameliorations most earnestly desired.

The permanent deputation was left empowered to secure the execution of the resolutions of the council.

### *Population.*

The population of the province on the 1st of January, 1837,  
was . . . . . 323,219 souls  
not including the town of Luxembourg.

1st January, 1836, it was . . . . . 320,478

---

The increase during 1836 was of . . . . . 2,741

During the years 1833, 1834, and 1835, the average increase had been 4,109 souls.

A very exact census has been made this year of the population of Echternach and of Marche.

But here must be remarked the tendency which all the commune authorities have not to give the whole truth when statistic information useful to the administration is required. They often fear that measures contrary to the interests of their constituents may be the result. It is a mistake.

Many individuals, attracted by the higher rate of wages in France, and in the other provinces, go there in the spring and return in the autumn, bringing back savings, which add to the comforts of their families during the winter season. There is therefore a fluctuating population, of which it is difficult to give the exact number.

The population of the province of Luxembourg is thus divided :—

| <i>Males.</i> |   |   |         |
|---------------|---|---|---------|
| Married       | . | . | 52,718  |
| Widowers      | . | . | 6,251   |
| Unmarried     | . | . | 101,068 |
|               |   |   | <hr/>   |
|               |   |   | 160,037 |

| <i>Females.</i> |   |   |         |
|-----------------|---|---|---------|
| Married         | . | . | 52,773  |
| Widows          | . | . | 11,979  |
| Unmarried       | . | . | 99,330  |
|                 |   |   | <hr/>   |
|                 |   |   | 163,182 |

| <i>Births in 1836.</i> |   |   |        |
|------------------------|---|---|--------|
| Males                  | . | . | 5,998  |
| Females                | . | . | 5,725  |
|                        |   |   | <hr/>  |
|                        |   |   | 11,723 |

| <i>Deaths in 1836.</i> |   |   |       |
|------------------------|---|---|-------|
| Males                  | . | . | 3,827 |
| Females                | . | . | 3,604 |
|                        |   |   | <hr/> |
|                        |   |   | 7,431 |

That which above all the rest proves the growing prosperity of the country, is the constantly increasing number of the buildings.

|                  |     | Houses. | Families. |
|------------------|-----|---------|-----------|
| 1st January 1837 | . . | 56,523  | 59,864    |
| , , 1831         | . . | 53,019  | 56,315    |
| Increase         | . . | 3,504   | 3,549     |

The ELECTORAL POPULATION of the PROVINCE in 1836  
consisted of

| Arrondissements.   | Electors of<br>the Houses. | Electors of<br>the Provinces. | Electors of<br>Communes. |
|--------------------|----------------------------|-------------------------------|--------------------------|
| Arton. . . .       | 849                        | 860                           | 1,926                    |
| Bastogne . . . .   | 551                        | 577                           | 1,587                    |
| Diekirch . . . .   | 655                        | 666                           | 1,543                    |
| Grevenmarker. . .  | 516                        | 539                           | 1,414                    |
| Luxembourg . . . . | 977                        | 1,018                         | 2,195                    |
| Marche . . . .     | 331                        | 422                           | 1,513                    |
| Neufchâteau . . .  | 450                        | 560                           | 1,971                    |
| Virton . . . .     | 510                        | 515                           | 1,859                    |
| Total . .          | 4,839                      | 5,157                         | 14,008                   |

*Parish Roads.*

In the report presented in the session of 1836 have been made known the new measures adopted to secure the repairing the parish roads, and to give new vigour to the works.

The reports of the provincial overseers certified by the honorary inspectors, show that in 1836 there have been made in the parish roads,

|                                   |                        |
|-----------------------------------|------------------------|
| New roads . . . . .               | 175,000                |
| Old roads repaired and maintained | 210,000 current metres |
| Total . . .                       | 385,000                |

It has been seen with great satisfaction that the purchase of exemption by those taxed, who would not themselves perform their tasks, have arisen to an amount beyond all expectation;

they have produced 56,000 francs, making more than a tenth part of the amount of the communal funds; this sum has chiefly been paid by strangers living in the communes. It is to be wished that this mode of purchase may be generally adopted.

But it is to be regretted that in several cantons the repairs have been ill-directed, incomplete, and curtailed. The faults arise from the ill-will of some of the managers of the communes, the ignorance of the directors, and the negligence of the overseers. The works have not been preceded by plans and levelings, without which they are impracticable. All the works have not the perfection desirable, and to form good roads it is to be wished that the paving work should be executed by contract.

The parish roads are too important, and have too much influence on agriculture, and even on commerce and industry, not to call attention to new improvements.

To give a greater impetus to the works, the prosecutions against those who delay or resist should be pursued with more vigour. To this there are many obstacles. The functionaries intrusted with the public business about the justices of the peace, have not always the will, the activity, nor even the intelligence necessary to direct a cause in a proper manner, and with celerity. The administration does not withdraw its action till after judgment has been given. But, generally, the judgments are neither given nor executed. The judgments should be ordered to be despatched as soon as they are pronounced, and forwarded to the commissioner of the arrondissement, who would send them to the communal collectors, empowered to recover the amount.

Disputes frequently arise between the overseers and the directors of the parish roads, on the nature of their respective employments. It is desirable that the functions of these agents should be exactly defined, and that the deputation should have the means to distribute prizes to those most distinguished.

The honorary inspectors would render further service if their functions were not limited to merely overseeing, but had some means of coercion.

It is proposed as a most excellent institution, especially for the most important communes, that the overseers should be replaced by cantonniers, who should be employed all the year, have the management of the lesser roads, and prevent encroachments.

These too frequent encroachments earnestly call for a general plan of the extent and width of all the roads of the commune.

In fine, a revisal is wished of all the laws relating to the appropriation of land necessary for the roads, and the diminution of the forms and expenses necessary for the purchase of such land by the communes, for making their roads.

Some of these improvements can only be introduced by a law, others may be made the subject of a provincial regulation. The early discussion of a general law relating to the parish roads is announced; it is necessary to wait till it is adopted, the means of executing it may then become the subject of provincial arrangements. The regulations of 1824 must necessarily be revised.

#### *Communal Buildings.*

The communes continue to watch over the preservation of their buildings and edifices, and supply themselves with such as are wanting. The sum of 115,949 francs was expended for this purpose in 1836; 11 school-houses built or repaired, 12 parsonages, 10 churches, 10 bridges, and other works, are included under this amount: the buildings completed, and not those in progress, are the most numerous.

The communes provide for these expenses by extraordinary sales of wood, and by disposing of the communal lands.

Government and the province have granted to 10 communes subsidies, which united amount to 6,223 francs.

The situation of provincial architect of the first class is still vacant. It is proposed in next December to elect one by ballot, and it may be hoped that a candidate will be presented capable of filling this important situation.

#### *Communal Woods.*

The care of the communal woods leaves no cause for com-

plaints. The Forest Administration, to whom this care is confided, and whose agents generally join long experience to great knowledge, only seek in their operations the real advantages and interests of the communes. They likewise proceed actively in the business submitted to them.

The wooded property belonging to the communes, which the activity of forges renders so valuable, augment in extent and importance by the replanting of glades, or openings made by the felling of timber, and other useful improvements.

The numerous complaints from every part of the province, of the late vegetation and want of fodder, decided the deputation to authorize feeding in the communal woods, until the 25th of May, 1837. Upon fresh petitions, this permission has been extended to July 1st, but only in copses of above seven years' standing. The inhabitants have likewise been authorized to gather in copses above three years' standing until the 25th of the same month all grasses necessary for feeding their cattle.

Thirty-three extraordinary cuttings, sold in 1836, have brought 87,561 francs 28 cents, which have been employed in building and repairing communal edifices, and other works of public utility. Of these fellings, seven, extending altogether to 76 hectares, 22 ares, 60 cents, have been granted by anticipation, but upon condition of restoring them by savings on the extent of ordinary fellings; 18 consisted of full grown and decaying trees; eight, altogether extending to 75 hectares 75 ares, have been taken from woods which the communes had saved to serve on extraordinary emergencies.

The ordinary fellings produced 314·174 francs.

The total amount of all the various charges upon the communal woods is 94,302 francs 97 cents.

The principal part of the fellings are given in kind to the inhabitants.

The division of firewood often occasions a waste, which has awakened the attention of the Administration. The order of the 15th of September, 1835, which directs that from 1836 particular accounts shall be given of the produce of firewood, is intended to

put an end to the abuses justly complained of, and a strict attention will be paid to the exact execution of this measure

The summing up of the accounts of 1836 will show how far the advantages proposed are realized.

### *Communal Taxes.*

Some communes provide for their annual expenses by their woods, and other and various resources; but most are obliged to impose taxes.

In 1836 they consisted.

|                                                                                                                    | Frs.   | Cts.      |
|--------------------------------------------------------------------------------------------------------------------|--------|-----------|
| 1. Of taxes on the entrance of the articles of consumption into the communes, on which there are imposed . . . . . | 8,664  | 55        |
| 2. On assessments established on the presumed property of the inhabitants; namely,—                                |        |           |
| Ordinary . . . . .                                                                                                 | 70,305 | 97        |
| Arrears . . . . .                                                                                                  | 1,527  | 28        |
| Extraordinary . . . . .                                                                                            | 4,700  | 5         |
|                                                                                                                    | <hr/>  | 76,533 10 |
|                                                                                                                    |        | <hr/>     |
| Total . . . . .                                                                                                    | 85,197 | 65        |

228 communes are authorized by royal authority to impose permanent taxes. Only 158 avail themselves of this power, so that on these authorized assessments, amounting to 179,242 frs. 42 cts., but 70,305 frs. 97 cts. have been gathered, which leaves 108,936 frs. 45 cts.

This difference proceeds from the taxes being established every year only to meet its wants; they must have diminished in proportion to the product arising from the sale of wood, or letting of the communal properties. These lettings become more and more frequent, and augment proportionably the resources of the commune.

According to the budgets of 1837, the assessments among 168 communes will not exceed 78,457 frs. 61 cts., including the town of Arlon, which has obtained permission to replace its

Droit d'Octroi by a permanent tax of 9,200 francs. It is expected that these impositions will be still further diminished by the actual profits from sales and lettings.

*Primary Instruction.*

On this subject great improvement may with much pleasure be noticed, particularly in the arrondissement of Luxembourg, where the communal administrations exert the most praiseworthy efforts, where good masters are sought and suitably provided for, and where almost all the schools in the chief towns are permanent. In the other arrondissements almost everywhere are to be met with large and convenient hired houses, perfectly adapted for school-houses, with an apartment for the master. But the progress of primary instruction has been hitherto of little amount. The fault proceeds from the negligence of parents, the short duration of the school hours, the bad methods of teaching, and the precarious situation of the masters. Their emoluments are composed, 1st, of the payments made by those able to pay; 2dly, of the communal allowance; 3dly, of the Government and provincial subsidies.

An instructor of 20 or 25 pupils during five months of the year receiving about 50 or 60 centimes a month for each pupil, may generally be obtained.

As to the communal allowance, it must be observed that few bestow any; and that if some remunerate fairly, most give very little. To be sure there are the Government and provincial subsidies, but the instructors being numerous few can be assisted to any great degree.

Those granted by Government in 1836, amounted to 19,576 francs, given to 103 instructors.

The sum of 10,000 francs, voted in the provincial budget of 1837, has been given to 87 instructors.

The number of poor children gratuitously taught in 1836, by masters who receive assistance fixed by the deputation, is about 3,050.

The expenses allowed in the commune budgets of 1836, for primary instructors, have been for

|                         |         |
|-------------------------|---------|
|                         | Francs. |
| Towns . . . . .         | 10,530  |
| Arrondissements . . . . | 42,334  |
|                         | <hr/>   |
| Total . . . . .         | 52,864  |
|                         | <hr/>   |

The sums arising from foundations in favour of primary instruction, or granted by benevolent societies, are as follows :

|                         |         |
|-------------------------|---------|
|                         | Francs. |
| Towns . . . . .         | 3,229   |
| Arrondissements . . . . | 2,956   |
|                         | <hr/>   |
| Total . . . . .         | 6,185   |
|                         | <hr/>   |

The primary schools, 865 in number, are divided into communal schools, mixed, and private schools. The pupils are divided in this manner :

|                        |        |          |        |
|------------------------|--------|----------|--------|
|                        | Males. | Females. | Total. |
| Communal schools . . . | 12,871 | 10,761   | 23,632 |
| Mixed , , . . .        | 4,891  | 3,552    | 8,443  |
| Private , , . . .      | 7,350  | 5,834    | 13,184 |
|                        | <hr/>  | <hr/>    | <hr/>  |
|                        | 25,112 | 20,147   | 45,259 |
|                        | <hr/>  | <hr/>    | <hr/>  |

The pupils being about 45,000, 30,000 at the utmost are able to pay a trifling remuneration. Allowing an average of 60 centimes by the month for each pupil, it will produce 18,000 francs. The average duration of each school is six months, the total amount then would be 108,000 francs.

Adding the government, provincial, and communal grants, and the foundations, the total amount will be 196,626 francs.

The schools being about 865, an average of about 205 francs forms the emolument of each instructor.

It can now be understood how precarious the situation of primary instructor is in the province of Luxembourg ; and this is caused by the unlimited competition which allows the first comer to open a school.

The causes of the evil being known, it does not seem difficult to find a remedy. The good masters, who gave up an unprofit-

able career, will reappear as soon as they are certain of finding the means of living respectably. To procure this advantage not only must the present subsidies be preserved and even augmented, but also the payments made by those able to pay should be secured to them. Superior merit, and a better method of teaching, will not always obtain this from parents, who unfortunately look to cheapness even when seeking to enlighten the minds of their children.

It is not certainly wished to put any obstacle to the competition of free-schools, but nothing prevents the founding of large communal schools, by granting them certain privileges which would ensure their being attended.

For example, Why not institute a yearly examination for the pupils of the communal schools of each canton, and bestow prizes at the expense of the province? Why might not the successful candidates contend among themselves for provincial prizes, some of which might consist in paying their apprenticeship abroad to some useful trade or profession, to be improved or established at Luxembourg? Might not the best results be expected from such encouragement, which, while exciting emulation in the schools, must revive primary instruction, and extend its benefits even to the lowest classes of society?

The province no longer possesses normal schools to form good instructors. It is necessary to wait the organization of the Provincial Athenæum to annex to it an institution of such unquestionable utility.

In the mean time, as good masters become yearly more scarce, might not a provisional measure be adopted?

The province has still some instructors of acknowledged information and experience; by providing for them a suitable recompense, to be paid by the province, might they not be employed to teach those who wished to devote themselves to primary instruction the rudiments of this difficult career? it would be a trial in the absence of normal schools, the organization of which seems to be postponed for some time.

The Communal Administrations generally put up for ballot the

situation of primary instructors, but are the members who compose the Administrations sufficiently informed to appreciate others? It is impossible not to acknowledge the utility of district commissions, composed of the best informed burgomasters and ecclesiastics, before whom the examination should be held. These examinations ought always to be obligatory when a subsidy from Government or the province is attendant upon the situation of instructor.

Many children after leaving school, often for want of practice, lose that which they acquired with so much difficulty. To remedy this evil it is desirable that Sunday-schools should be instituted for the advantage of adults. It would be voluntary repetitions of that which they had been taught, and the care of these schools might be given to instructors paid by Government, the province, or the commune.

The advantages of primary instruction are so unquestionable that it is irksome to return to the subject. It shall only be said, that the necessity for its revival in Luxembourg is felt by all. Agreeing on the end, the means to attain it may be disputed. For this purpose the law, the discussion of which is promised in the extraordinary session of the chambers in 1837, might serve as a guide to employ the reserved funds deposited in the savings' bank, and which now amount to 48,000 francs.

#### *Secondary Instruction.*

Only the colleges of Bastogne, Bouillon, Diekirch, Echternach, and Virton, continue to exist.

The college of Bastogne is a small seminary of the bishopric of Namur. It is impossible to decide on the help it receives without reckoning the pensions paid by the pupils.

The following subsidies are granted by Government:—

|                                  | Francs. |
|----------------------------------|---------|
| To the college of Bouillon . . . | 2,000   |
| „ Diekirch . . .                 | 3,000   |
| „ Echternach . . .               | 1,000   |
| „ Virton . . .                   | 2,000   |
|                                  | <hr/>   |
| Total .                          | 8,000   |
|                                  | <hr/>   |
|                                  | o       |

These colleges obtain besides subsidies from the communes in which they are established.

The number of pupils who receive instruction in these establishments is as follows:—

|                             | Boarders.  | Day Scholars. |
|-----------------------------|------------|---------------|
| College of Bastogne . . . . | 109        | 35            |
| , , Bouillon . . . .        | 27         | 38            |
| , , Diekirch . . . .        | 7          | 56            |
| , , Virton . . . .          | 18         | 60            |
| Total . .                   | <u>161</u> | <u>189</u>    |

The college of Echternach having only been established in 1836, the information concerning it cannot be given until the report of 1838.

The ancient languages, some modern languages, arithmetic, the elements of algebra and geometry, calligraphy, drawing, some elements of physics and natural history are generally taught.

From the preceding details may easily be perceived the very deficient state of secondary instruction in the province. In whatever light the question is seen, the want of an organized provincial athenæum is always evident.

#### *School Foundations.*

Among the foundations which exist in Luxembourg, those called exhibitions are the most numerous and important. They are divided between primary, ordinary, and superior instruction.

The want of records anterior to 1830, renders it impossible to make known the situation of the first named foundations. Materials are now seeking, but many difficulties delay the execution of this measure, which must proceed but slowly.

The presentation to most of the exhibitions of secondary instruction has devolved upon the administrators of the town of Luxembourg. They are now given almost exclusively to the young men of this town, whilst all the province ought to participate, and the young bursers are almost exclusively sent to the

Athenæum of Luxembourg, whilst the other establishments of education ought equally to profit by this advantage.

*Public Charity.*

The number of paupers maintained in the poor-houses, benevolent institutions, and various hospitals, amounted to 47 in 1836.

The sums expended by the communes for their support, amount to 5,175 francs.

A Royal Decree of the 14th of March, 1837, suppressed the poor-house at Namur, which is to be converted into a penitentiary for women. The paupers of Luxembourg will in future be transferred to Mons. This is an additional charge upon the communes, in proportion to the increased charge of a longer journey. In compensation, the communes have been permitted to recall their paupers, on condition of maintaining them in their own domiciles.

Judging by the small number of condemnations passed by the criminal tribunals, comparatively with the preceding years, it would seem that the number of beggars goes on diminishing, but in some places, at least, it is probable that this arises from their not being tried; fewer also willingly enter the poor-houses. Moreover, the province may be considered happily circumstanced; its labouring population continues to find employment. The working of roads is proceeding; in different parts of Luxembourg, agricultural wages have increased nearly a third. Other hands are occupied with the labours connected with foundries, by the extracting of ore, and working of minerals, the clearing of woods, and making of charcoal, and by the carriage of raw material to the manufactories.

*Hospitals and Benevolent Societies.*

The renewal of charitable administrations for 1836 has taken place everywhere according to the instructions, and communal law, so that the establishments are completely and legally settled.

The measures taken to oblige the hospitals and benevolent societies to submit their accounts to the approbation of the superior authority having only commenced in 1835, it may be

imagined that the state of this finance, as it appeared in last year's report, was very imperfect ; that even which is now given, though it shows a great increase of produce, is not yet perfect.

According to the budgets of 1836, the ordinary revenues of charitable establishments would only amount to 30,688·34 francs.

The regulations of the finance for 1837

raises them to . . . . . 37,756·05

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Increase . . . . . 7,067·71

It is believed that many benevolent societies still exist, which continue to act as before, without being subject to any control ; and in order to discover the unknown receipts, the archives are under examination, but as they are not of recent date, it will be difficult to obtain information upon every point.

The administrators of the benevolent societies scarcely make themselves known, pretending that they have neither receipts nor expenses for the benefit of the poor. This indifference must be resisted, as the chief object of the institution of the benevolent societies is a zealous and constant anxiety for the poor, some of whom exist everywhere ; if there are no revenues particularly appropriated for the relief of the poor the benevolent society is called upon to seek them from the charity of those inhabitants who are in easy circumstances, or to ask them from the Communal Administrations. The inhabitants of the country are accustomed individually to fulfil such acts of charity as their circumstances will permit ; but these individual donations would if united afford relief to a much greater extent, and their distribution might be performed for the public benefit. This ought to be the principal occupation of the benevolent societies ; and their institution is a measure of great utility, directed by the communal law.

#### *Foundlings.*

The number of illegitimate children in 1836 was 339, the succours voted for them by the commune amounted to 2,422 francs.

The arrondissements of Bastogne and Virton have not allowed anything.

Government has allowed an aid of 250 francs, which was bestowed on five deserted children, whose parents are unknown. An equal sum was appropriated to the same object by the provincial budget.

### *Marriages.*

The number of marriages contracted in 1836—

|                                        |       |
|----------------------------------------|-------|
| Between maids and bachelors . . . . .  | 2,066 |
| Between bachelors and widows . . . . . | 75    |
| Between widowers and maids . . . . .   | 274   |
| Between widowers and widows . . . . .  | 52    |

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Total . . . . . 2,467

At the same time that the number of illegitimate children decreases that of marriages increases in a remarkable proportion.

### *Deaf, Dumb, Blind, and Insane.*

The province placed in the provincial budget of 1837, an allowance of 1,200 francs for succours for the deaf and dumb, blind and insane. This sum has not hitherto been employed, for the following reasons: it was wished to give the principal part of these succours to the deaf, and dumb, and blind. Besides, it was necessary to select those of an age to profit by being maintained in an establishment where they might learn a business, which would procure them the means of existence. Information has, therefore, been gained upon the subject of these unfortunate beings of both classes under 12 years of age; the following are their numbers:—

|                         |       |
|-------------------------|-------|
| Blind . . . . .         | 6     |
| Deaf and dumb . . . . . | 18    |
|                         | <hr/> |
|                         | 24    |

It has been signified to their parents that the province was disposed to defray part of the expense of their maintenance in a hospital during several years, and it was asked whether they would

consent to part with them, and contribute jointly with the commune to maintain them. All the answers have been in the negative. Besides that often the communes were too poor to afford the least help, the parents refused to part with their children. This is no doubt a mistaken kindness, opposed to their true interest, as they must always continue a burden to their families.

*Succours for the Poor.*

The whole of the various succours for the relief of the poor given by the communes in 1836, amounted to—

|                                             | Francs.        |
|---------------------------------------------|----------------|
| For doctors for the poor . . . . .          | 1,580·28       |
| For assistance to the infirm poor . . . . . | 1,593·95       |
|                                             | <hr/> 3,174·23 |

The expense of vaccination has in the same  
year amounted to . . . . . 8,982·50

By a decree of the 17th of January, 1837, the deputation has organized the allowance of three half-pence per league to every pauper provided with a passport, an expense now placed to the account of the province. The following towns are appointed as their stations :—Greveumacher, Arlon, Bastogne, Marche, Neufchateau, Wellin, Bouillon, Virton, Itarre, Vielsalin and Diekirch. A sum of 132 francs was thus distributed during 1836.

*Succours to Lying-in Women.*

Since 1834, five subsidies of 30 francs each have been granted to pupils of midwives to learn midwifery, in establishments for that purpose. We have tried to learn the effects of this measure for the years 1834, 1835, and 1836.

It is desirable that a school of midwifery should be established in the province. The pupils would not then be subject to long journeys, and the aids granted them would already serve to defray part of the cost of such a useful establishment, as might be formed for assisting indigent lying-in women.

The aids which the communes granted in 1836, amounted to 2,637 frs. 87cts. We state with regret that the arrondissements of Bastogne and Marche have given nothing towards these succours.

*The Replacement of Capital.*

The average of replaced capital by the communes and public establishments, during the years preceding 1836, is 24,000 francs. It is nevertheless to be remarked that the sum has always been increasing from year to year. In 1836, the capital replaced amounted to 53,362·48 francs.

It seems to be understood that the intervention of the administration is not a simple formality, and that its care is an additional guarantee to perpetuate and consolidate the existence of this important operation; much having been lost for want of this intervention.

*Communal Finance.*

The accounts for 1835, and the budgets for 1837, of the 307 communes, or 633 sections of communes, having separate revenues, have been definitively decreed according to the 141st Art. of the communal law.

The accounts for 1835, show in receipts agreeing with the annexed extracts a total of 2,362,779·91 francs.

|                                       | Francs.    | Francs.      |
|---------------------------------------|------------|--------------|
| The returns admitted for re-          |            |              |
| venues recoverable, but not           |            |              |
| as yet received, and such as          |            |              |
| are in litigation, amount to          | 165,940·36 |              |
| The irrecoverable amount to           | 11,067·00  |              |
|                                       | <hr/>      | 177,007·36   |
|                                       |            | <hr/>        |
| The actual receipt is therefore . . . |            | 2,185,772·55 |
| The expenses have been fixed at . . . |            | 1,073,759·46 |
|                                       |            | <hr/>        |

|                                              |              |
|----------------------------------------------|--------------|
| The available residue at the closing of the  | Francs.      |
| accounts of 1835 is therefore . . .          | 1,112,013·09 |
| The receipts to be made good from the re-    |              |
| venues of 1836 are valued by those           |              |
| budgets at . . . . .                         | 996,805·05   |
| The receipts for 1837, not including the re- |              |
| mainder from the preceding years, are        |              |
| valued at . . . . .                          | 1,620,686·39 |
|                                              | <hr/>        |
| Total . . . .                                | 3,729,504·53 |
|                                              | <hr/>        |

|                                            |              |
|--------------------------------------------|--------------|
| The expenses authorized by the budgets     |              |
| amount to, for 1836 . . . . .              | 1,228,426·71 |
| „ 1837 . . . . .                           | 1,786,179·48 |
| The unemployed credits of the budgets of   |              |
| 1835, the expenses of that year not liqui- |              |
| dated, and the special trusts opened in    |              |
| 1836, brought into the budgets of 1837,    |              |
| amount to . . . . .                        | 197,726·94   |
|                                            | <hr/>        |

|                                         |              |
|-----------------------------------------|--------------|
| The expenses which may arise during the |              |
| years 1836 and 1837 upon the budgets of |              |
| those years amount to . . . . .         | 3,212,333·13 |
| Carried from the receipts . . . . .     | 3,729,504·53 |
|                                         | <hr/>        |

|                                               |            |
|-----------------------------------------------|------------|
| From this results a balance to be disposed of |            |
| in the budget of 1837 of . . . . .            | 517,171·40 |
|                                               | <hr/>      |

By the terms of the 139th article of the communal law the accounts of 1836 were closed on the first Monday in May by the communes placed under the management of the arrondissement commissioners, and will be closed on the first Monday in August by the other communes.

#### *Provincial Revenues.*

The revenues of Luxembourg, compared with those of the other provinces, are inconsiderable, but they exactly suffice for

ordinary wants; they are divided into ordinary and extraordinary revenues.

The extraordinary revenues are the surplus of the receipts above the expenses of the preceding years. Francs.

And the additional centimes granted for the construction of roads: they amount for 1837 to . . . 22,000

The ordinary receipts are divided into different classes.

1. The additional centimes of the taxes collected for the state, amounting to. . . . . 119,906
2. The provincial revenues which are raised from the product of the toll upon the Moselle, the letting out of the stud of Walferdange and its dependences, also of some parts of the abbey of St. Hubert, amounting altogether to about. . . . . 15,000
3. Indemnity for the quartering of the gendarmerie, to be paid by the war department . . . . . 4,600
4. Horse duties . . . . . 600
5. The product of the dog tax for half the province. . . . . 8,000

#### *Provincial Expenses.*

The extraordinary expenses are those relating to the establishment of towing roads and provincial roads.

The ordinary expenses are either obligatory or optional.

The obligatory expenses are all those specified by the 69th article of the provincial law. Among these expenses may be named that of the lodgings for the gendarmerie; this is one of the most important expenses placed annually to the account of the province. It includes, 1st. The rent and keeping up the furniture necessary for the men forming the brigades. 2d. The rent of the buildings so occupied, when these buildings are not provincial property.

#### *General Police.*

In many places the measures for the suppression of mendicity appear to be disused. Mendicants are seen wandering over some communes without exciting the attention of the gendarmerie and communal administrations. Happily, as we before

observed, favourable circumstances are tending to diminish the distress of the people ; the advanced labour of agriculture, and that which has been commenced in trade occupy many hands.

Crimes and offences are rare, and those who commit them, especially between Weiswampach and France, are foreigners, principally Prussians, who, taking advantage of the vicinity of the two countries, pass the frontier to execute their misdeeds, and then take refuge in Prussia to avoid pursuit. The environs of Hossiugen are the principal refuge of these criminals ; they there find many isolated huts, occupied by strangers, which serve for momentary refuge. The observation of these huts is difficult, owing to their distance from the villages where the authorities are stationed.

It is proved, to our regret, that the measures for public salubrity and health are generally neglected. Sewers, filth, and dunghills often infest the neighbourhood of houses and corrupt the waters. Also the regulations for the burying of animals have not always been obeyed. The weakness and indifference which the communal administrations have shown in the service of the general and municipal police must be pointed out in order that they may be amended. The regulations concerning passports are not sufficiently enforced ; vagabonds are overlooked ; the streets and roads are encumbered with materials, dunghills, carriages, and agricultural instruments, which interrupt the communication. The observation of public-houses has been neglected, and from this, injury to the health and morals of the inhabitants has resulted.

The burgomasters do not generally understand the importance and extent of the functions the law confers on them as officers of judicatory police ; it is necessary that they should give to them more attention.

It is known that in observing the regulations of general and municipal police many private interests must be crossed, and popularity in some measure compromised. But the general interest and public order require imperatively the execution of these regulations, and there is reason to hope that the local au-

thorities will not be wanting in this essential part of their duties.

### *Weights and Measures.*

The retail of merchandize and provisions is also a subject of observation confided to the care of the communal administrations. The verification of weights and measures has annually taken place, and since the law has suppressed the duties on stamps, there is reason to hope that no retailer tries to withdraw himself from the effects of a measure which has ceased to be fiscal.

It appears that there exists an abuse in the lime trade which heavily injures the interests of the consumers. The lime traders continue to use the former measures, and obstinately refuse to employ the legal ones. The buyers residing almost always far from where the lime is produced, are not able to superintend the measurement. Hence arises that it is sold by the metric measure, and delivered by the ancient measure, which makes great difference and causes much loss. It has often been attempted to force the lime traders to the employment of the legal measures ; but the expedients used have always been eluded. It is, nevertheless, of the utmost importance that this abuse should stop, since it interests in the most sensible manner the progress of agriculture in the Ardennes.

### *Accidents and Events.*

Fires have multiplied lately. Few of these disasters can be attributed to malevolence ; many, on the contrary, to negligence and neglect of the regulations.

There have been some instances of violent death,—some from want, others from excess in drinking ; some may be traced to the sudden fall of walls during their demolition, or of earth and stones in the quarries. It is believed that if the local police had interfered to watch over the demolition of the walls and the working of the quarries, these last accidents would not have occurred. Some events have given rise to acts of courage, humanity, and self-devotion. Those that performed them have been rewarded by being presented with a gold, silver, or bronze medal, or a sum

more or less considerable, and their names have been proclaimed in the administrative memorial. Between 1830 and the 1st of January, 1837, 30 of these rewards have been given.

Accidents have given rise to demands for succour.

The amount of losses suffered and succours granted, in 1836, is as follows:—

|                          | Losses suffered. | Succours granted. |
|--------------------------|------------------|-------------------|
|                          | Francs.          | Francs.           |
| Loss of cattle . . . .   | 12,026           | 990               |
| „ by fire . . . .        | 72,627           | 3,546             |
| „ by storms, hail, &c. . | 3,828            | 258               |
|                          | <hr/> 88,481     | <hr/> 4,794       |

Number of wolves killed and amount of rewards granted under this head:—

In 1835.

For 52 wolves and 4 wolf cubs . . . . 865 francs.

In 1836.

For 35 wolves and 4 wolf cubs . . . . 602 francs.

### *Rural Police.*

It is generally admitted that the rural police of this province is in an imperfect state. The most striking of its defects are the following:—

Most of the bailiffs perform their functions ill, and are very ignorant; the smallness of their salaries makes them seek employment more lucrative than their office, to which they devote too short intervals. The local authorities do not prescribe sufficiently their duties, and do not require a sufficiently exact account of their conduct. More stability is to be wished in this service; the continual changes to which it is exposed are disadvantageous. The numerous changes yearly made arise from dismissal being the only means of repressing the negligence of the bailiffs.

Their office should be their only employment, that they may consecrate to that all their time and attention; this would be

obtained by giving larger salaries. If the bailiffs were well paid, more might be required from them in subjecting them to severer discipline. Their number might be diminished, having one good, instead of two or three indifferent, bailiffs, not to say bad, and give to one the salaries of the two or three, this would then be sufficient to support existence. Dismissal should not be pronounced except for serious offences ; for small faults the administrative penalties should suffice. In a word, a new and complete organization of the rural police is, generally, required. This organization may be made the subject of provincial regulation by the terms of the fifth section of the 131st article of the criminal law.

### *Public Health.*

The list of persons authorized to practise medicine is published every February. The list is numerous ; but good doctors are rare in the country. Offences against the laws and regulations on this subject diminish, because they are quickly repressed.

The law relating to the higher instruction has singularly restrained the privileges of provincial medical commissions, which at present can only proceed to the reception of apothecaries, herbalists, and midwives. Nevertheless, these commissions still preserve the superintendence of the healing art. For many years a visitation of the apothecaries, principally the country ones, has been called for ; but the scantiness of the subsidy granted by the state will not permit the expense of travelling for such a visit, since it hardly suffices for the ordinary wants. The commission has often called for the increase of this subsidy ; these demands have been seconded, but, as yet, have remained unanswered.

With the exception of a scarlet fever, considered as contagious, which raged for some time in the commune of Nives, no epidemic has been declared in the province during 1836.

Vaccination increases more and more. Great praise has been merited by the zeal and activity of several vaccinators. However, their efforts are not always seconded by the communal administrations, which still show repugnance to favour the operation, particularly when parents (and there are some) object to the

vaccination of their children. Small-pox has broken out in some communes, but without doing much harm. It is said that many vaccinated persons have been attacked; but whenever a physician has been called in, it appeared to be only the *varicelle*, an eruption not much to be feared.

It is remarked that royal decrees, giving gold medals to persons distinguished for the propagation of vaccination, never comprise Luxembourg. This omission is explained by the circumstance that the royal decree of August the 18th, 1818, requires a certain number of vaccinations, performed gratuitously, which is not often found in a province where vaccination is performed by vaccinators annually appointed by the deputation, and who receive for every vaccination which succeeds one franc, charged to the communal treasury. Nevertheless, in 1836, M. Malvoux, of Nerbeumont, a young physician, having performed, gratuitously, more than 100 vaccinations, has been proposed for the gold medal, and, according to all appearances, will be included in the approaching distribution of the home department.

### *Public Worship.*

The salaries of the rectors and desservants, paid by the state, amounted, in 1836, to the following sums:—

|                                  | Francs.          |
|----------------------------------|------------------|
| To rectors and desservants . . . | 371,282·41       |
| To chaplains . . . . .           | 31,358·29        |
| To curates . . . . .             | 7,910·20         |
| Total . . . . .                  | <hr/> 430,550·90 |

The subsidies granted to the communes, during the same year, have amounted to 29,668·40 francs.

The law of the 9th of January, 1837, has improved the situation of curates and chaplains, by granting them a salary of 500 francs, to be paid by the treasury. In execution of this law a royal decree of the 28th of March, 1837, determines what are the vicariates and chaplaincies entitled to the benefit of the law of January 9th; their number is 77 vicariates and 148 chaplaincies.

There appeared to be some omissions which gave rise to well-founded complaints on the part of the bishop of the diocese, since a royal decree of the 20th of last May has carried the number of chaplaincies to 155, and of vicariates to 127.

Communal subsidies ought not to be given to churches, unless their revenues be insufficient. This principle is incontestable; and to enable the communal administrations to prove it by evidence, the decree of the 30th of December, 1809, commands the annual deposit of the accounts of the church in the communal archives. This deposit has in many places been omitted; it belongs to the ecclesiastical superiors to enforce the execution of so useful a law.

The Jewish community of Arlon has solicited from government a subsidy for supporting the expense of its worship. This request was warmly supported, and by a dispatch of August the 4th, 1836, the home secretary gave notice that he intended proposing to the King its favourable reception; but since the month of September nothing more has passed in the ministerial offices on this subject.

#### *Prisons.*

The promised improvements have been executed. The prison of Arlon is so far advanced that all classes of prisoners may be removed to it. The completion of some indispensable buildings will not be delayed. The minister of justice has asked for the plans and estimates necessary for the establishment of the second wing, intended for the accommodation of the prisoners. The places of reception or municipal prison, which exist in every place where a brigade of gendarmerie is stationed, have attracted the attention of the administration, which has caused some improvements acknowledged useful to be effected. It is proposed to introduce in the transfer of prisoners improvements long called for. This transfer henceforward will be performed by carriages prepared for the purpose. It is to be wished that the time for executing this project may not be long deferred.

#### *Public Taxes.*

The product of the different sources of public revenue in Luxembourg, during 1836, is as follows:—

|                                        | Francs.      |
|----------------------------------------|--------------|
| Administration of assessed taxes . . . | 2,300,532·83 |
| Registry office . . . . .              | 1,855,789·44 |
| Post-offices . . . . .                 | 87,094·64    |
|                                        | <hr/>        |
| Total . . . .                          | 4,243,416·91 |

No opposition, no delay, has been made in the collection of taxes of any kind.

The state of taxation is not what might be wished. Of this we must give an account.

The original lists are the basis of individual contribution to the land-tax in the communes, the lands of which are not registered. This useful work, which fixes the value of the incomes of the landowners, serves to establish their assessment. This work, to insure justice, must be exact and kept up to the present time; but the imperfection of the ancient lists, which are dated the 9th year of the republic, hardly leaves any means of discovering the present state of things, or establishing the proportionate contribution required for the land-tax.

In most of the communes the necessary alterations are becoming impossible, by reason of the absence of the documents necessary for knowing the tax to be imposed upon every parcel of landed property. Those documents still possessed by some do not point out the situation of the places that are named, so that it is equally impossible to be sure from the list, of the existence of any parcel for the land-tax. The changes taking place in landed property are so neglected, that upon many lists of those taxed, are found names of persons dead some years, whose possessions have been sold to their successors. Such division and change has arisen in property, that there is no escape from the labyrinth.

This is a serious case, and ought to attract the attention of government. There is no other remedy than a complete land-register. Such a work exists at Luxembourg, but besides the difficulty of fixing the moment when it should be presented to the communes, what would be its present use? This work has now existed some years, and during that time many changes have taken

place, many parcels of land have been divided or united; it would, therefore, require to be recommenced. Would it not, then, be preferable to begin a new work, embracing the whole province, without taking notice of that existing at Luxembourg? Whatever may be the determination of government, it is time to begin, for the disorder is great, and can only increase to the injury of individuals and public prosperity.

## AGRICULTURE.

### *Various Crops.*

THE hardy corns yielded in 1836 an ordinary crop of good quality, but the straw was short and thin; the other crops suffered either from the draught or violent rains that followed. The March grains have hardly given a third of the ordinary crop. The hay crop was not abundant, and there was scarcely any other grass. The artificial fodder generally failed. Potatoes succeeded better. The price of corn was kept up in 1836; it has been rising since 1837. That of fodder is excessive.

The following table shows the prices for 1836, and first five months of 1837:—

| Months.    | Wheat. | Meslin. | Rye.  | Oats. | Barley. | Potatoes. |
|------------|--------|---------|-------|-------|---------|-----------|
| 1836       |        |         |       |       |         |           |
| January .  | 11·62  | 8·40    | 7·65  | 3·70  | 7·50    | 2·15      |
| February . | 11·67  | 9·55    | 7·56  | 3·80  | 7·39    | 2·23      |
| March . .  | 11·80  | 9·20    | 7·75  | 3·83  | 7·43    | 2·37      |
| April . .  | 12·31  | 10·18   | 7·91  | 3·92  | 8·01    | 2·30      |
| May . .    | 13·48  | 11·54   | 10·54 | 4·34  | 8·49    | 1·84      |
| June . .   | 13·12  | 11·28   | 10·48 | 4·13  | 8·98    | 9·23      |
| July . .   | 12·46  | 11·29   | 9·37  | 3·94  | 8·11    | 1·76      |
| August .   | 13·38  | 11·16   | 9·44  | 3·80  | 8·95    | 1·99      |
| September. | 13·37  | 11·60   | 9·08  | 3·86  | 5·23    | 1·68      |
| October .  | 13·93  | 12·04   | 8·82  | 3·95  | 7·76    | 2·23      |
| November . | 13·98  | 12·16   | 8·67  | 3·87  | 8·23    | 2·83      |
| December . | 13·93  | 12·41   | 8·75  | 4·03  | 8·63    | 2·28      |
| Average .  | 12·94  | 10·94   | 8·85  | 3·93  | 7·89    | 2·24      |
| 1837       |        |         |       |       |         |           |
| January .  | 14·15  | 12·89   | 8·87  | 4·11  | 8·45    | 2·35      |
| February . | 14·26  | 13·01   | 9·08  | 4·23  | 9·08    | 2·24      |
| March . .  | 14·21  | 13·18   | 10·02 | 4·20  | 8·69    | 2·54      |
| April . .  | 15·75  | 13·98   | 12·00 | 5·77  | 9·40    | 2·55      |
| May . .    | 16·82  | 15·41   | 13·03 | 6·70  | 8·68    | 3·31      |

*Improvements.*

Agriculture improves slowly ; however, there is an inclination not to permit fallow land. Meadows and artificial pastures are multiplying, particularly clover.

Proper cultivation has frequently proved the resources of the soil in the Ardennes ; but hands are not alone wanted, manure is also necessary. The cattle do not give sufficient ; it must be imported.

The use of lime forces the heaths to yield to the ploughshare ; fields formerly barren have yielded abundant harvests ; rich artificial meadows have replaced soils from which product was expected only after periods of 20, 25, or 30 years. Unhappily this can only be seen in some parts, because the cultivators cannot everywhere procure lime.

The trade, in this manure, so powerful and active, extends every year ; it might be further encouraged by rendering its transport easier and cheaper by multiplying the means of communication.

Many agriculturists would find that buying limestone and burning it on their own ground with their own fuel, would save much ; but the exemption of limestone from toll ought still to be granted. This exemption is just. An exemption in favour of the limestone destined for agriculture is required. Some formalities might be insisted upon, and, to prevent fraud, the limestone might be reduced to very small compass. The uncertainty of the manner in which the rights of pasture and waste lands should be exercised causes general complaints. This is a fertile source of usurpations, complaints, injustice, and resentment. For want of a precise law upon this subject, a provincial regulation, fixing with precision the limits of the right of pasture and waste lands, would be beneficial to our peasantry.

*Distilleries.*

The distilleries increase yearly, and improve the state of agriculture with which they are closely connected. The arrondissements of Diekirch and Grevenmacher, bring to this trade much fruit brandy. The cherry plantations extend every year. The brewhouses do not follow this progressive movement.

The use of beer is not much diffused, owing to the excessive duties upon its manufacture.

*Woods and Hedges.*

Wood has been sold at a price it had not reached for some time. The prices are still high, though they have since fallen, which must be attributed to a double cause,—the large and anticipated stores laid in by the masters of forges, and the dead season of the iron trade taking place at the same time.

One of the principal of the revenues of the Ardennes is from the product of oak bark. This article continues to decrease in value, owing to the prolonged difficulties of the tanners.

*Cattle.*

The law of December 31st, 1835, had more effect upon the sale of cattle in Luxembourg than was expected. Much cattle of all kinds has been taken by the merchants of Namur, chiefly from the arrondissements of Verlon and Grevenmacher.

Horses have found an easy and advantageous market; great numbers have been purchased for Rhenish Germany.

The export of cattle to France has not increased.

The price of sheep was kept up during 1836, that of horned cattle has diminished.

In general, cattle suffered much during the first months of 1837, from the scarcity of fodder in 1836, and from the unforeseen prolongation of the winter. They were, therefore, sold at a low price.

The fairs in Luxembourg have been established chiefly for the sale of cattle. No new one has been appointed in 1836. Two great annual fairs are desired, one at Bastogne, the other at Mersh for the wool trade.

The examination of the law of the 22nd of July, 1822, upon salt must finish these observations upon agriculture. This law includes a special clause in favour of agriculture, but most of our agriculturists are not able to avail themselves of it, although the want of salt obtained duty free is often felt. The evil is this, that the minimum granted by law duty free for cultivation is of

500 kilogrammes, a quantity too large to be purchased by the Ardenne agriculturists, and even this right is denied them, when they do not possess a specified number of cattle. The agriculturists cannot, therefore, take advantage of the law, which is the more distressing, as often, when, as in 1836, the straw is blighted, still for want of other fodder it is necessary to give it to the cattle.

It is to be wished that Government would propose to the chambers to fix the smallest quantity required by law at 100 kilogrammes, and reduce at the same time the number of cattle necessary for being admitted to enjoy the exemption. To prevent fraud it might be commanded, that quantities of salt destined for agriculture should be mixed with a portion of some other substance which, without hurting the cattle, would unfit the salt for domestic uses, and even for the salt-house. The salt thus mixed might be deposited with merchants, desirous of credit, where the agriculturists might go to supply themselves.

#### *Trade.*

Too short a time has elapsed since the publication of the commercial and industrial report of the situation of Luxembourg: to return to details upon a subject which nevertheless still retains its importance.

Commerce is generally reduced to home consumption; there is very little foreign business which arises from want of communication and a defective system of customs. To procure the one, and correct the other, is the double end which must be obtained. The interchange trade, the most important of the province, is fettered by the limited number of offices for export and import; some intermediate offices are much called for.

However there are some improvements which we shall enumerate with pleasure.

The working of the slate quarries has been much advanced. Their product is sold advantageously in the interior. The export continues to cost little. New quarries have been opened during 1837.

The export of coal continues to extend, and the Luxembourg forges have not been further inconvenienced either by the price of fuel, or the difficulty of laying in stores.

The tanners, above all those in the east of the province, continue to see their manufactures excluded the German markets, and are reduced to a state of depression which must end fatally.

The cloth trade is reviving a little. The cloth manufactory at Schleifmuhl is in the way of advancement, and is destined to become of much importance. The workmen of Larochette are employed in the manufacture of blankets. The drapers of Wiltz, Esch-sur-la-Sûre, and Vianden, are in a deplorable condition. The Delft manufactures are at present in full activity, and can hardly keep pace with their orders. New ways of communication which will render its exportation easier and cheaper must increase this prosperity.

A new branch of the clay manufacture has been introduced into the province, since last year, the fabrication of stone-jars. It owes its birth to the discovery near Laroche of clay proper for this manufacture. Foundries continue to employ many hands, and to find good markets in the interior. New mines have been discovered, and the administration has received many petitions for the permission to open iron mines.

The prosperity of the paper-mills continues. They find in the interior an advantageous and certain market. This trade will go on extending. The foundries of Rochers belonging to M. Lamort have been changed into a paper-mill. This manufactory will commence in the course of the year to be in active operation, and become of still more importance than that of Senningen.

A new branch of commerce has also been introduced into Grevenmacher, the manufacture of tobacco-pipes. Its produce sells well.

M. Davreux's establishment at Bouillon continues. His bobbin-nets sell well both in France and Belgium.

The debate upon the project of a law proposing some modifi-

cations of the tariff of Belgic customs, has raised several questions important for the future commerce and trade of Luxembourg. The first debate which has taken place on this subject gives hopes they will be determined favourably for the province.

The free importation of Prussian coals is a measure calculated to favour some branches of trade and the agriculture of the province. The Luxembourg manufacturers cannot sustain the competition, because, the expenses of the manufacture being higher, their produce cannot be offered at the same price as their rivals. The want of cheap firing prevents several of our cheap manufactures being developed; we have, therefore, seen with regret the adjournment of M. de Puydt's motion.

The impulse which the different branches of provincial trade will receive from the approaching creation of a Luxembourg trading company must be pointed out.

The provincial banks, which have only been established a few years, appear to produce the best results by lowering the interest of money. But as these banks only lend upon real property securities, it is desirable that a bank should be established in the province which would assist the labourers and manufacturers by lending money upon notes.

The trade and manufactures of Luxembourg are not represented by any constituted body. The formation of a commission of trade and commerce intended to supply the place of a commercial chamber is petitioned for.

#### *Roads.*

According to the wishes expressed in the session of 1836, the following is the general system of the communications of Luxembourg, proposed by the deputation for the sanction of the Council.

#### *Roads of the First Class.*

1. From Brussels to Treves by Namur, Bastogne, Ettelbruck, Larochette, the road from Ostend to Treves (in Weker), Grevenmacher, and Wasserbillig.

2. From Ostend to Treves, by Dinant, Neufchateau, Luxembourg, and Grevenmacher.

3. From Liège to Metz, by Aywaille, Bastogne, Arlon, and Longwy.

4. From Malmedy to Sedan, by Stavelot, Arbrefontaine, Laroche, St. Hubert, Recogne and Bouillon, with a branch to the road from Stavelot to Carignan, beyond Straimont.

*Roads of the Second Class.*

1. From Luxembourg towards Sarrelouis by Remich.

2. From Luxembourg towards Longwy by Aubange.

3. From the road of the first class from Bruxelles to Treves (to Heiderscheid) towards Longuyon, by the corner of the wood des pendus Habuy-la-neuve and Virton.

4. From Stavelot to Thionville and Metz, by Vielsatlm Diekirch, Ettelbruck, and Luxembourg, with a branch from Diekirch to the road from Bruxelles to Treves by Stegan.

5. From Stavelot to Carignan, by Deiffeld, Bastogne, Neufchateau, and Florenville, with a branch towards Wiltz.

6. From Marche to Bitbourg, by Hotton, Houffalize, Clervaux, and Vianden.

7. From Liège to Sedan by Terwagne, Marche, Tellin, Transine, Paliseul, and Bouillon.

8. From Dinant to Sedan, by Beauraing and Bouillon.

9. From Arlon to Sedan, by Etalle and Florenville, with a branch towards Bouillon.

10. From Bastogne to Rochefort, by Sibret and St. Hubert.

*Provincial Roads.*

1. From Luxembourg to the French frontier, by Esch-sur-l'Alzette.

2. From Virton to Echternach, by Arlon and Mersch, with a branch from Sœul to the road from Luxembourg to Diekirch.

3. From Hotton to Barvaux.

4. From Neufchateau to Virton, by Brenvanne, Bellefontaine and La Croix Rouge.

5. From Ehneu in the commune of Wormeldange to Ætrange.

6. From Schengen to Grevenmacher, by Remerschen, Kleinmacher, Remich, and the Moselle towing road.

7. From Virton to the Moselle by Aubange, Bascharage, Bettembourg and Frisange.

8. From Eich to the road from Bruxelles to Treves, towards Zittig.

9. From Neufchateau to Martelange, by Leglise and the forest of Aulier.

This system has been preceded by an examination in which all the communes have been heard, and includes all the wishes which have been expressed, and appears to supply all the wants, as well of commerce and manufacture, as of agriculture. The deputation hopes that it will deserve the approbation of the Council. It seems that the share of Luxembourg in the great communications of the kingdom should not be confined to paved roads. The province may hope for a rail-road. The law of the 26th of May, 1837, establishes the principle, but with a reservation. A Royal decree of the 26th of May ordains the examination, and another decree of the 16th of June, names M. Vasquain, inspector of the bridges and roads, to examine and direct the works, when the plan shall be adopted by law. It is hoped that no obstacle will stop the measures taken by Government, and that their execution will not be delayed.

#### *Roads and Bridges.*

The administrative board of the provincial roads and bridges has been lately re-organized. It consists of about 20 persons. The principal engineer, the inferior engineers, and the conductors of the second and third class. It is, therefore, hoped, that the well merited complaints which have arisen, upon the interminable delays which the examination of the draughts of plans for the most useful roads have experienced will not be repeated.

Among the improvements which have taken place in existing roads, the straightening of the coast at Neupont, and the planting of the road from Ostend to Aylon must be mentioned.

#### *Post Offices, Post Houses, Coach and Waggon Offices.*

The employment of the rural posts commenced at the end of

1836. Never has any organisation given rise to such well-founded complaints; it was arranged by chance and without attending to the previous divisions of correspondence. The provincial administration was not admitted to give its opinion upon what was most proper. Improvements have been since introduced but they are not sufficient, and correspondence still suffers prejudicial delays. Our connexions with Germany still continue fettered by the defects in the posting arrangements with Prussia. We communicate with that kingdom only through the office of Henri-Chapelle, (Province of Liege.) The royal decree which establishes post-houses upon the road from Aylon to Dinant has also not been executed. Proposals have been made for the nomination of postmasters, but nothing further has taken place, the causes of this delay are unknown.

Public coaches now go the road from Aylon to Dinant by Neufchateau. This improvement is advantageous to all that part of the provinces of Namur and Luxembourg.

#### *Inland Navigation.*

The Sure is subject to extraordinary swelling, during which by the rapidity of its course it carries the banks away and causes considerable falls. To stop these ravages it would be necessary to execute expensive works which the neighbouring communes alone would not be able to pay. The province has granted a subsidy to the village of Ingeldorf, but other places have reason to demand the same succours, among others Bettendof. The Sure encroaches every year upon the lands near the bridge of Blee; and even threatens to form a new channel through the village; the repairs of the banks have become urgent, for the devastation increases yearly, which must entail more expenses. The product of the Moselle navigation, in 1836, amounted to 12,182·54 francs. The expenses have been of 913·66 francs, so that the province has put into the treasury 11,268·88 from this source.

## PROVINCE OF NAMUR.

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EXTRACTS from the Report to the Provincial Council for the Session of July, 1837.

### *Post-Office Irregularities.*

Much improvement is required in the management of the provincial posts. It frequently happens that the Government correspondence is inconvenienced so much that it has already been necessary to send Commissioners to the communes, to obtain pressing information, while the packet containing it had been for some days in the letter-box. The Commissioners of the Arrondissement complain of this incessantly, and several of the communes have pointed out the irregularity of the service. The Government correspondence was more active and convenient with the former post-carriers.

### *Survey of the Province.*

The council having ordered our college to have a map of the province drawn upon the scale of 1 to 50,000, and provide 500 copies, a correspondence has taken place with M. Vandermaden, head of the geographical establishment of Brussels; and it appears that the expense of preparing this map, showing all the parish and private roads, the course of the waters from the least important to navigable rivers, and all the particulars calculated to give an exact idea of the peculiarities of the soil, the form and structure of the country, &c. would amount to 10,750 francs, which would bring the price of each copy to 21 fr. 50 c.; we have thought this expense too considerable to be paid entirely by the province, and

have called upon the administrations of the communes to know those who will consent to subscribe for a copy ; this subject will be submitted to the deliberations of the council.

### *Population.*

A general census of the population was taken at the beginning of the year. The result on the 1st of January, 1837, was, that the population amounted to 227,074 inhabitants. During the year 1836, the number of births was 7,554 ; of deaths 4,268 ; of marriages 1,696 ; therefore the deaths have been exceeded by the births 3,286.

### *Communal Finance.*

Many of the communes continue to be obliged to have recourse to personal assessments to meet their expenses ; hitherto we have only allowed eight of such assessments, amounting together to 1,878 fr. 61 c. ; but it is certain that before the end of the year a great number of these assessments will be submitted to us ; as we have provisionally allowed in the communal budgets projected assessments for a sum of 15,864 fr. 34 c.

The towns of Namur, Dinant, and Philippeville, the communes of Gembloux and Mariembourg provide in a great measure for their expenses by taxes imposed at the entrance of the town or commune upon different articles of consumption ; these taxes in 1836, after deducting the expenses of collecting, produced

|                                      | Francs. | Cents. |
|--------------------------------------|---------|--------|
| In the town of Namur . . . . .       | 185,701 | 76     |
| „ Dinant . . . . .                   | 24,642  | 69     |
| „ Philippeville . . . . .            | 6,659   | 41     |
| In the commune of Gembloux . . . . . | 5,773   | —      |
| „ Mariembourg . . . . .              | 1,734   | 34     |

Four communes have obtained permission to make purchases. That of Ohey of nearly 40 hectares of wood-land for 32,110 francs ; that of Mismes of a field for 700 francs ; that of Graide of a school-house for 3,700 francs ; and that of Walcourt, for land for the purpose of enlarging the school, for 130 francs.

Thirty-five communes have been authorized to dispose of 163

small parcels of land for the improvement of their revenues, or to pay the expenses of building parsonages and schools. The purchase money of these alienations has amounted to 18,397 fr. 51 c.

Four communes have received permission to make advantageous exchanges of property for the foundation of churches, parsonages, and widening of roads.

The commune of Ohey has been allowed to clear a wood containing 6 hectares, 29 ares, and 30 centrares; it has been proved that this land when cultivated would become more productive than if it remained wood-land.

Ten communes have received for the repurchase monies of annuities (*capitaux de rents*) 5,334 francs. Five communes have placed, either with individuals or in the savings'-bank, capital amounting to 10,155 francs.

Lastly. Three communes have redeemed annuities they owed to the united amount of 6,610 fr. 30 c.

Having remarked in our examination of the communal accounts of charitable institutions and church revenues, that the sums produced by the repurchase of annuities (*capitaux de rents*) or saving often remained unproductive in the hands of the receivers; our college has decreed that every sum so remaining amounting to 1000 francs, should be placed in the savings'-bank at 4 per cent. interest, until it could be more usefully employed by the establishment to which it belongs.

### *Hospitals.*

The state of the finance of the hospitals continues to be satisfactory.

Annuities have been repurchased belonging to the hospitals of Namur, amounting to 41,276 fr. 46 c., and to that of Dinant to 790 fr. 83 c.

The executive commission of the hospitals of Namur has been empowered to place with individuals, at 4 per cent. interest, the sum of 50,500 francs.

The same commission has been authorized to sell for the purpose

of increasing their income, five small parcels of wood-land property, the total consisting of 9 hectares, 5 ares, for the sum of 12,005 fr. 36 c. But instead of availing themselves of this permission, the commission has put up these parcels to auction. This measure proved advantageous to the establishment; the cutting of the under-wood and trees produced 6,532 francs, and the land produced 13,263 fr. 33 c., making a total of 19,795 fr. 33 c.

### *Foundlings.*

The number of foundlings on the 31st December, 1836, was 608.

|                                                                                      | Francs. | Cents. |
|--------------------------------------------------------------------------------------|---------|--------|
| The province contributed for the expenses<br>of this establishment in 1836 . . . . . | 27,527  | 40     |
| The town of Namur . . . . .                                                          | 27,754  | 26     |

But the Government has granted out of 200,000 francs, placed to the credit of the budget of the Department de la Justice, a subsidy of 26,000 francs, which has been equally divided between the town and province of Namur.

### *Poor Houses.*

A royal decree of the 14th of March, 1837, places at the disposal of the Department de la Justice the poor-house buildings, that they may there organize a penitentiary for women condemned to imprisonment and hard labour. This decree enacts at the same time that incurable beggars being found at the poor-house, should be returned to the commune to which they belong, to be confided to the care of the managers of the hospitals; and the others should be transferred to the poor-house at Mons.

With regard to the insane confined in the poor-house of Namur, they will be maintained in their present situation under the guardianship of the managers of the penitentiary, until they can be placed elsewhere.

The council acknowledge that by this measure Government has decided the right of possessing the buildings, which was debated during the last session; but Government in declaring

that these buildings belong to the State, has taken upon itself to reimburse 51,418 fr. 4 c., advanced by the treasury of St. Giles's Hospital, to defray the first establishment of the poor-house; and our college has requested that this arrangement should apply to the other establishments which have made similar pecuniary advances.

The number in the poor-house was on the 31st of December, 1836, 370 individuals; 206 males, and 161 females among these, besides the superannuated and crippled there were insane 20 males and 19 females.

The subsidy granted by the provincial budget is employed to assist those communes which are unable to support their own paupers. The removal of the paupers to the Mons Poor-house has induced several of the communes to recall their poor; but it is to be feared that these will be forced to beggary, or to go to the new poor-house for want of the means of support, as the authorities of the communes, when they have obtained their dismissal, do not try to provide them employment.

#### *Benevolent Societies.*

The benevolent society at Dinant has received a grant of 1000 francs from Government, to be employed in behalf of the most distressed families of the town.

Only two bequests have been made to these societies, which they have been authorized to receive.

To the society of Temploux a bequest of one hectare, worth 3000 francs, on condition of celebrating an anniversary mass for M. Le Baron de Ponty.

To the society at Horene by M. de Sour, formerly a monk, a bequest of a house and garden, valued at 5000 francs, on condition that its annual product should be applied to the instruction of indigent children.

Twenty-one of these societies have been empowered to receive for the repurchase of annuities (capitaux de rents) 19,948 francs 21 cents.

The power of placing sums at interest or in the savings'-bank

has been granted to 13 of these societies for a sum of 18,087 francs.

Two societies have been authorized, one, that of Souline, to sell by public auction a house and garden, consisting of two acres, value 1,550 francs, to purchase an annuity; the other, that of Leuze, to exchange an estate for a school-house.

#### *Monts de Piété.*

The result of their proceedings for 1837 is as follows:— 42,462 pledges have been placed or renewed for the sum of 178,004 francs; 41,295 pledges have been redeemed for the sum of 173,211 fr. 50 c.; 841 pledges have been sold for 2,674 fr. 50c. at Namur. At Dinant, 5,590 pledges have been placed or renewed for 45,406 fr. 40 c.; 5,834 pledges have been redeemed for 43,315 fr. 90 c.; 191 pledges have been sold for 1,701 fr. 30c.

#### *Public Worship.*

The necessities of public worship are far from diminishing, the resources of the communes do not increase, whilst from their age the churches and parsonages want continual repairs, and even rebuilding. The subsidy of 10,000 francs allotted to the provincial budget of this year, joined to the sum that remained from 1836, is exhausted, and there remain many claims as well founded as those upon which we have been able to decide.

We are, therefore, obliged to ask from the council a supply, on credit for this year, and an equal addition for the service of next. All the papers concerning claims of this kind will be submitted to the council, and it will without difficulty admit that the additional credit is necessary.

We have already given to 19 communes subsidies of 11,450 francs. Government has granted to the same communes supplies of 11,900 francs.

We have promised to six other communes supplies equal to 3,200 francs, upon condition that Government will give an equal sum. This forms the total of the disposable funds. The subsi-

dies granted by the Treasury have exceeded by 450 francs those granted by the province. Government has given this sum to the commune of St. Germain to purchase a bell. We did not consider ourselves empowered to cause the province to assist in this purchase, the funds having been exclusively appointed for the repairs of churches and parsonages.

By means of the sum of 21,600 francs, the product of the supplies granted by Government and the province, the church of Tinvers will be rebuilt and enlarged; the churches of Bouvigne, Graux, Havelange, Heure, Marchovelette, Meux, and Notre Dame at Namur will be repaired; the parsonages of Ernage, Heure, Mohiville and Pessoux, will also be repaired. The communes of Florence, Floreffoux, Lignon, and Miecet will purchase a parsonage, which they require; and those of Monceaux and St. Aubin will entirely rebuild the parsonages they now possess.

All the communes have proved that they possess the funds necessary, either from loans or savings, to answer the remainder of these expenses.

The sum of 9,300 francs has been judged necessary to complete the repairs of the Episcopal Seminary. Government has answered for half of this sum, the remainder must be supplied by the provinces of Namur and Luxembourg. But a contest has arisen between our college and the permanent deputation of Luxembourg concerning the subdivision of this half. Hitherto the expenses belonging to the repairs of the cathedral, seminary, and episcopal palace, have always been supported by the two provinces at the rate of two-fifths for that of Namur, and three-fifths for that of Luxembourg; taking for basis the population of each province, except that Namur, as possessing the Metropolitan town, has paid one-fifth more; conformably to the 111th article of the decree of December, 1809, the deputation of Luxembourg now refuses to follow this rule of division. This subject will be submitted to the council.

Legacies and donations have been made to 11 churches, the cathedral, and episcopal seminary, to the amount of 30,406 fr. 85c.

Twenty-eight churches have been authorized to receive for the repurchase of annuities the sum of 25,602 fr. 30c.

Fourteen churches have obtained permission to place with individuals, or in the savings' bank, capital amounting together to 16,111 fr. 60 c.

### *Public Instruction.*

The state of public instruction, generally, is satisfactory.

Government has again granted to the city of Namur 20,500 francs, as it did last year, for the support of its Athenæum. The remainder of the expenses must be supplied by the town. A subsidy of 2,000 francs has, likewise, been granted by the Treasury to the town of Dinant for its college.

The amount of the salaries granted by Government to the provincial instructors is the same as last year, that is 28,642 fr. for 116 instructors. The subsidies granted for the building, repairing, and furnishing of school-rooms and houses, has amounted to 8,729 fr. 26 c., divided amongst 16 communes. The subsidies have been given in this proportion—3,855 francs by the province and 4,874 fr. 26 c. by Government. Several applications for subsidies of this nature are now under consideration.

Only four salaries, amounting to 360 francs, have been granted from the provincial funds to the instructors of the communes of Lovette St. Denis, Lovette St. Pierre, Lisogn and Thou, which are the only communes which have petitioned for this favour, and whose finances seem to require it.

According to the decision of the council, the deputation has applied to the department of the interior to obtain the re-establishment of the subsidy formerly granted by the Treasury in favour of the instructors of the primary schools, who came during stated times to attend the lessons of the Normal School at Namur. No decision on this subject has, hitherto, been transmitted to us.

The sum appointed in the provincial budget of this year for the encouragement of the fine arts has been divided as follows:—

|                                                                           | Francs.           |
|---------------------------------------------------------------------------|-------------------|
| Namur, for the Academy of Painting . . . .                                | 1,000             |
| Dinant, for the Harmonic Society . . . .                                  | 200               |
| To the Society of St. Cecilia at Namur . . . .                            | 400               |
| To the Philharmonic Society at Couvin. . . .                              | 80                |
| To the Drawing Academy, belonging to the Athe-<br>næum at Namur . . . . . | 150               |
| To the Harmonic Society of Anderme . . . .                                | 90                |
| Total . . . .                                                             | <hr/> 1,920 <hr/> |
| Remains to be disposed of . . . . .                                       | 80                |

### *Public Health.*

The malady which appeared in the commune of Soye is almost subdued; the localities appear to have been rendered sufficiently healthful by means of the measures pointed out by the medical board of the province recommended by our college, and which the communal councils are directed to execute. Government has granted 800 francs to assist the indigent sick; this sum is distributed by the local administrations and the benevolent societies.

One thousand francs, part of the subsidy of the provincial council have been employed to remunerate the physicians for their attendance on the indigent sick, and to pay for medicines.

The number vaccinated in 1836, is nearly equal to the number of vaccinated children in 1835. All the information which is to be given by the communes on this subject not having reached us, it is impossible to state the exact number.

The small-pox has attacked some individuals, but has been fatal to few, and very few have been disfigured.

The five premiums of 100 francs granted by the provincial budget to the doctors and surgeons, who have performed the greatest number of vaccinations gratuitously, have been given for 1836, to MM. Eugene Thirion, M.D., at Namur, and Henrionnet, surgeon at Gembloux, for the arrondissement of Namur;

Charles Francis Bodson, M. D., at Dinant, and Augustus Sovet, M.D., at Beauraing, for the arrondissement of Dinant; and William Joseph Delacharlerie for the arrondissement of Philippeville.

Seven medals have been granted by Royal Decree of the 15th October, 1836, to the same number of medical men who most assisted the propagation of vaccination during 1833, and by a decree of the same date, five medals have been granted for 1834.

### *Police.*

No violence requiring suppression has been noticed in any of the communes since the last session of the council. Order and tranquillity exist in all.

Night patrols have been appointed for the winter season.

The service of the gendarmerie continues regular. According to the decision of the council the province has purchased of the Benevolent Society of Dinant, for 16,000 francs, buildings for barracks for the gendarmerie brigade stationed at that town. As soon as the plans and estimates of the repairs and additions to be made to the buildings shall have reached us, these works will be contracted for. According to an agreement made by the former deputation, the province has also purchased the buildings used as barracks by the Beuraat gendarmerie for 6,000 francs.

The barrack for the brigade stationed at Assesse is not suitable. Proposals will be made to the council for the purchase of land upon which to build one at the expense of the province.

### Francs.

|                                                                                             |                 |
|---------------------------------------------------------------------------------------------|-----------------|
| The hire and maintenance of 18<br>barracks of gendarmerie in 1836,<br>amounted to . . . . . | 10,660·13       |
| The expense of the furniture . . . . .                                                      | 3,922·44        |
|                                                                                             | ————— 14,582·57 |
| Government has given . . . . .                                                              | 3,266·07        |
| The province . . . . .                                                                      | 11,316·50       |
|                                                                                             | ————— 14,582·57 |

The prisons of Namur and Dinant as well as their furniture,

are in good repair. The necessary repairs and improvements have been made.

The number of individuals who entered the prison of Namur in 1836, amounted to 780, namely,

|                |       |
|----------------|-------|
| Men . . .      | 343   |
| Women . . .    | 89    |
| Soldiers . . . | 348   |
|                | — 780 |

The number of days of maintenance have been 21,036. The expenses of maintenance have amounted to 6,669 fr. 58 c., which allows 32 c. per diem to each person.

The number of individuals who entered the prison of Dinant has amounted to 140, namely,

|             |       |
|-------------|-------|
| Men . . .   | 127   |
| Women . . . | 13    |
|             | — 140 |

The number of days of maintenance has been 4,299. The expense of maintenance has amounted to 3,159 fr. 64 c. which allows 73 c. per diem to each individual.

In 1836, 559 game licences have been granted. Vigilant attention has been paid to poaching; some offences have been proved.

Battues have been authorized in those communes where wolves and boars most frequently have appeared.

Out of 200 francs allotted by the provincial budget for the destruction of wolves, only 54 francs have been bestowed.

According to the decision of the council, the Deputation has expressed to Government a desire that a tribunal de premier instance should be erected at Philippeville, at the same time showing the reasons which prove the necessity of this establishment.

It has also addressed itself to Government to obtain a legislative enactment to dispense the members of the provincial council from the duties of jurymen during its session.

*Public Taxes and Grants.*

The collection of taxes continues to take place regularly and easily.

The contingent assigned to the province in 1837, has been in principal 911,085 francs, which have been increased with the additional centimes to 1,191,514 fr. 26 c.

The subdivision among the communes of this province takes for basis the proportion of the land tax; no complaints have arisen from this division.

The taxable incomes amount to 9,809,611 fr. 34 c.

From the 1st of October, 1836, until now, eighteen complaints upon the subject of the land tax for 1836, have been made; seventeen have been admitted, and one rejected. In 1837, thirteen have been admitted, two rejected, and four are now under examination.

|                                                                                                                                         | Francs.       |
|-----------------------------------------------------------------------------------------------------------------------------------------|---------------|
| The losses occasioned by hurricanes, hail, &c. from<br>the 1st of October, 1836, to the 31st of December,<br>have amounted to . . . . . | 17,094        |
| The losses by fires . . . . .                                                                                                           | 66,970        |
| Total . . . . .                                                                                                                         | <u>84,064</u> |

Succours have been allotted for the last quarter of 1836 :

|                                      | Francs.       |
|--------------------------------------|---------------|
| For losses by hurricanes . . . . .   | 1,882         |
| For losses by fires . . . . .        | <u>3,147</u>  |
| From 1837 until now the losses :     |               |
| From hurricanes, hail, &c, . . . . . | 3,435         |
| From fires . . . . .                 | <u>16,120</u> |
| Total . . . . .                      | 19,555        |

The amount of the returns for the poll-tax of 1837, deduction being for losses down to the 1st of June, is 315,494 frs. 23 c.

The product of the patent duty, the sum allowed for losses being deducted, is 114,242 frs. 65 c.

The returns of the dog-tax hitherto made, for 1837, amount to 144,95 frs. 91 c.

The fixed and proportionate duties on mines amounted, in 1837, to 5,170 fr. 88 c.

|                                                | Francs.    |
|------------------------------------------------|------------|
| The Custom-house duties have yielded during    |            |
| the last half year of 1836 . . . . .           | 45,264·27  |
| During the first quarter of 1837 . . . . .     | 36,376·60  |
| The excise gave during the last half of 1836 . | 361,224·53 |
| During the first quarter of 1837 . . . . .     | 205,904·94 |

#### *Public Roads.*

Although the roads are generally in good condition, some of the contractors have neglected to fulfil completely the obligation of their contracts.

Actions have been brought against them, and they have paid the penalties stipulated in their contracts.

#### *Roads of the first Class.*

The expense of maintaining the road of the first class, No. 3, section from Namur towards Brussels, is 7,500 francs, and the lease expires on the 1st of May, 1838. The tolls of the turnpikes on this section for 1837-1838 amount to 29,830 francs. The lease for the maintaining of the section of this road from Namur towards Dinant, and from Dinant to the boundaries of France, expired on the 1st of last January; these sections have again been proposed for contract for the term from the 1st of June of the present year to the 1st of May, 1838.

The section from Dinant to Givet has been contracted for 2,750 francs. But the proposals made for the section from Namur to Dinant having amounted to 24,000 francs, one quarter above the estimate of the plan, it has been thought proper not to contract, but to submit them to the minister. The amount of tolls from the turnpikes on these two sections is 26,136 francs for 1837-1838.

The 730 metres of fencing, which, in 1836, were to be placed on the cross road of Profondeville have been erected.

The expenses of maintaining the roads of the 1st class, No. 11, from Ostend towards Luxembourg are the same as in 1836. The tolls in 1837-1838 amount to 16,860 francs.

*Roads of the Second Class.*

The expense of maintaining the roads of the second class is also the same as in 1836.

The amount of tolls arising from the last contract in 1837-1838, is on the road No. 1, from Louvain towards Marche, 53,770 francs.

On the road No. 3, from Dinant towards Liege, by Ciney, 5,380 francs.

On the road No 4, from Charleroy towards Rocroy, 22,030 francs.

On the road No. 5, from Couvin towards Chimay, 530 francs.

On the road No. 6, from Namur towards Hui, 17,440 francs.

There are no turnpikes in this province upon the road No. 7, from Fleurus to Docq. Here it is important to observe, that the roads of the second class, No. 3, from Dinant to Liege, by Ciney; No. 4, from Charleroy towards Rocroy; and No. 5, from Couvin towards Chimay, are ranked with the provincial roads; and that the product of these roads belongs to the province charged with their maintenance.

Government having decreed the formation of a road from Namur towards Hannut, has determined to take the line through the place called "Les Grandes Malades," in the environs of Namur. The works were proposed for contract on the 1st of last April, and contracted for in two lots. The first lot, comprehending the section from Namur to Gelbressée, a length of 8,076 metres, 30 centimetres, has been contracted for 89,000 francs. The second lot, comprehending the section from Gelbressée to Hannut, 21,093 metres 90 centimetres, has been contracted for 265,000 francs. The price of the lands taken for this purpose is not included in these sums. The works are progressing rapidly.

Government have accepted the offer made by the province to cede the provincial road from Falmignoul to Beauraing, on

condition that it should undertake at its own expense to lengthen this road as far as Bouillon ; the works are proposed for contract.

The section from Tilleut d'Oret to the meeting with the road projected from Recogne to Bouillon, a length of 31,830 metres, 30 centimetres, has been contracted for the sum of 313,500 francs. The section from Beauraing to Tilleut d'Oret, a length of 2,733 metres, 20 centimetres, has been contracted for the sum of 24,800 francs. The price for the land taken is not included in this sum. The works must now be proceeding.

The maintenance of that part of this road from Falmignoul to Beauraing is the same as in 1836. The produce of the turnpikes only amounts to 1,180 francs in 1837-1838.

The Deputation has attended to the answer given by the council to the proposal concerning lengthening the road from Couvin to Chimay, made by the council of Hainaut, between the boundaries of the province of Namur and the town of Chimay. Not only has it applied to Government upon this subject, but also to the governor of the province of Hainaut, upon a demand made by him for information concerning a plan which would unite the road from Thuillies with that from Charleroy to Philippeville. No answer has hitherto reached us.

The Deputation has likewise attended to the wishes of the council in taking steps to obtain from Government, that the road from Bouillon to Marche should pass through Rochefont.

#### *Provincial Roads.*

The roads from Andenne to Ciney produce from the three turnpikes placed there, a revenue of 12,970 francs for 1837-1838.

The annual expense of this road, the lease of which will expire on April the 1st, 1841, is 5,050 francs.

The expense of maintaining the first section of the road, from Bouillon towards Fraire, is the same as in 1836 ; the toll established there in 1837, is valued at 3,000 francs.

The second section of this road, from Bioux to La Chapelle-de-Fraire la Crotense, is nearly finished. The works on the

third section have been contracted for 150,000 francs, being a length of 12,749 metres, 10 centimetres, not including the price of land taken for this purpose.

The council having directed that proposals for several new roads should be presented to it, our college has employed the head engineer of bridges and roads to digest these plans. The plan of opening a road from Namur to Chatelet, after having gone through the formalities prescribed by law, has been submitted to the minister of public works, to receive the royal assent ; to this a request has been added for the entering into a contract for the formation of the first section of this road, from the environs of Namur to Floreffe, but it appears from the correspondence between this minister and our college, and which will be submitted to the council, that this great functionary does not think himself able to grant the request in its present shape.

He considers that if the province wishes to establish roads with right of toll, it is a concession which must be made the subject of public contract. The council will have to deliberate upon this difficulty, which must delay the projects of constructing provincial roads. The project of a road from Ciney to Rochefort has also undergone the formalities prescribed by the royal decree above named, it waits the report of the head engineer.

The plan of a road from Fosse to Philippeville, through Florenne, is at this moment going through the examination prescribed by the said decree.

According to the direction of the council, we have entered into correspondence with our colleagues of Leige, Brabant, and Hainaut, and also with the minister, upon the subject of re-establishing the Roman road ; as we foresaw, he has answered us that this subject must be submitted to the provincial councils, which will be done next session.

#### *Petitions for Grants of Roads.*

A petition to construct a road from the Wainage to the Mazy, by means of tolls to be established, has been drawn up by M. Tarte, civil engineer at Monstier. The commission of inquiry

employed to gain information upon this subject, will meet at Namur the 1st of next July.

### *Parish Roads.*

We have communicated to Government the wish of the council for a law regarding the lesser roads ; a projected law to this effect has been submitted by the ministry to our examination. We have sent it back with our observations, but it has not yet been presented to the chambers.

### *Railroads.*

By a Royal Decree, dated the 12th of last April, MM. Depuydt and Company have been permitted to construct a rail-road between the Sombre and the Meuse, with three branches towards Morialmé, Florenne, and Couvin ; the first grant of this road, given by a decree of the 13th of June, 1836, has been annulled.

Two other plans from the Sombre to Orey, and from Florenne to the Meuse, have been formed by the Sieur Iplingard. The necessary examinations having taken place, all the papers, with the opinion of the commission of inquiry, were transmitted to the minister of public works the 12th of last January. No decision has been communicated to our college. By a law of the 26th of last May the rail-road intended to connect the town of Namur and the provinces of Limbourg and Luxembourg, has been allowed on the system established by the law of May 1st, 1834 ; and to fulfil the intention of the legislature a Royal Decree of the 16th of June, entrusts M. Vasquin, inspector of the bridges and roads, with the examination of the plan.

### *Inland Navigations.*

The tolls of the Meuse produced in 1837, 29,500 francs, that is 2,500 francs less than in 1836.

The different works to be executed upon this river during the year, wait the reports and plans of the chief engineer, also the shore establishment of Namur and Dinant.

The propositions of Messrs Cockerill and Co. to establish a steam-boat upon the Meuse, an exemption from tolls and a subsidy from the provincial funds being granted, will be placed before the council. This company having eventually to take upon itself the works for deepening the river, we have thought it better to suspend digging the projected channel at the place called *La Basse Enhaive*, near Namur, this project has likewise kept back the return of the complete plan by the engineer of the improvement in the navigation of this river.

Our college has likewise transmitted to Government the wish of the council for a great reduction of the navigation tolls upon the craft on the Sombre, but no decision has reached us.

### *Trade.*

To forward the execution of the directions of the council, our college has petitioned Government to consider the means of obtaining either a commercial treaty with France, based upon a fair reciprocity, or the increase of the duty upon copper. It has also petitioned that the plan of a law, presenting an uniform measure, by returning to the decimal system for the sale of charcoal, should be enacted as soon as possible. Government has consulted the chamber of commerce upon the last subject, but hitherto nothing has been decided.

The number of licensed iron-mines augments every year, there is no proprietor who does not now seek to work this branch of industry, one of the most flourishing of the province. In 1836, 127 licences for extracting ore were taken out by individuals for a space of 3,378 hectares. In 1837, until the 1st of June, 66 mining licences were granted for a space of 5,306 hectares; 19 other petitions for licences have been sent to be corrected.

The communal administrations have not suffered this opportunity to pass for improving the revenues of the communes. In 1836, 18 communes were authorized to extract ore upon their lands; in 1837, 12 have received the same permission.

Generally this permission has been granted only upon con-

dition of putting the ore up to public auction ; but for special reasons the contracts made with individuals have sometimes been approved of. Many requests of this kind are now under examination.

Eleven petitions have been received for the formation of mining companies ; four of coal, lead, and brass ; two of lead, copper, and coal ; one of turf ; four of brass ore, alum, manganese, sulphur, and pyrites ; one of coal, iron, lead, calamine, and pyrites, two of iron ; and there has been a petition for an extension of a coal mine company.

Our college, according to the wish of the council, has petitioned Government to pass a law, enacting that the proprietor of the soil should also possess the mines under it ; but that the working can only be conducted according to the rules of inspection to be established. There is reason to suppose that the approaching session of the chambers will not pass without a plan for a law upon this subject being presented.

## APPENDIX No. 6.

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SYSTEM OF RECLAIMING BOG and MOORY MOUNTAIN PASTURE, as practised on the Crown Lands of POBBLE O'KEEFFE, County of CORK, by RICHARD GRIFFITH, C. E., 1835.

THE bog and moor lands of this district may be divided into three classes, viz. :—

- 1st. Flow moss or bog, varying from five to twenty feet in depth ; the surface is composed of bog moss (*sphagnum*) in vegetation, and a few tufts of heath ; the subsoil is gravelly clay.
- 2dly. Close-grained mountain bog, surface covered with coarse grass, and some moss (*sphagnum*) in vegetation ; the depth of bog varies from two to ten feet.
- 3dly. Shallow mountain bog or moss ; depth of bog from six inches to three feet ; subsoil, clay or clayey gravel ; the surface frequently uneven and tufty ; the vegetation consists of coarse grass, heath, and rushes. The system followed in reclaiming these several varieties of bog will differ in the detail according to circumstances ; but the following may be taken as the average process :—

1st. *Flow moss*. This is by much the most expensive, and, in proportion to the outlay, the least remunerative subject for reclamation, and in mountain districts, where the second and third classes are most abundant, its reclamation should not be attempted, unless under very peculiar circumstances ; but its surface may be drained, with a view to the improvement of the quality of the turf or peat for fuel ; and if young cattle are allowed to run on it in summer, the surface will soon be found to yield a crop of coarse grass, mixed with heath.

For the reasons stated in my report on the Crown land improvements of Pobble O'Keeffe, and printed by order of the House of Commons, the 26th March, 1834, the reclamation of about 20 acres, English statute measure, of the worst variety of flow bog, varying from six to fourteen feet in depth, has been attempted; and, in proportion to the progress made, the success has been fully as great as could have been anticipated.

The bog was, in the first instance, surrounded by a drain to cut off the water from the adjoining hills, and also from that part which it was not intended to reclaim. Drains were then cut through the bog, both lengthways and across, so as to divide it into squares, each containing four statute acres. Owing to the extreme wetness and *pulpiness* of the bog, these drains could not be opened at once, but required considerable caution and attention in the progress; an opening four feet wide and three feet deep would nearly close up in 24 hours; consequently the commencement was made by a narrow and shallow drain, which was gradually widened and deepened, and upwards of a year had elapsed before the principal drains, in *a considerable portion of the bog*, were in a sufficiently forward state to admit of the commencement of the small drains, intended to dry the surface.

The large drains, when completed, were six feet broad at top, two feet at bottom, and four feet deep.

The second class, or surface drains, were next cut parallel to each other, at the distance of eight yards. The upper part of each of these drains consisted of an excavation two feet broad and two feet deep, in taking out the stuff care being taken to cut the sods with a broad spade or draining tool, so as not to break them; the sods were laid on the surface of the bog, to consolidate. Subsequently when the sides of the drains became more compact, by exposure to the air, a second drain, four inches broad and twelve inches deep, was cut in the centre of the bottom of the two feet drain; thus leaving a shoulder on either side ten inches in breadth. Afterwards, where the sides of the lower drains had consolidated, and exhibited no tendency to collapse, the surface

sods, cut in the first instance, were placed with their upper surface downwards on top of the four-inch drains, and were supported, in that position, by the trenches or shoulders on either side; the remainder of the bog soil excavated from the drain was then thrown on top of the sods, till the excavation was filled up, and thus a covered drain or sewer was formed at the depth of three feet below the surface of the bog.

To facilitate the discharge of the water from the under drains, one open drain was cut through the centre of each of the four-acre fields, to receive the water and discharge it into the principal or surrounding drains.

Six months after the completion of the drains, the surface of the bog was dug up and left in a rough state, exposed to the air during the winter, and in the following spring it was chopped or cut by the spade into small pieces, so as to render it as fine as possible; the surface was then covered with clay to the depth of *nearly four inches*, the clay was drawn for a distance of about 600 yards by means of a moveable wrought-iron rail-road,\* and

\* The moveable railroad is formed of wrought-iron bars, usually about twelve feet long, two inches broad, and half an inch thick. These bars are supported on planks made from young Scotch fir or larch trees. They are prepared by sawing off the outside slabs on two opposite sides, and then running a cut through the centre. The planks thus formed are four inches broad at top, six inches at bottom, and half an inch thick, the length being usually twelve feet.

On each of these planks an iron bar is fixed *on edge* by means of two cast-iron chairs or stands spiked to its upper side at the distance of one foot six inches from either extremity; one end of the bar being fixed into one chair, and the other, passing through the second chair, projects three feet beyond it, when a second plank and rail is placed in continuation of the length beyond the first; the projecting end of the first bar is fixed into the first chair of the second plank, and by this means the joining of the rail is always placed one foot six inches beyond the termination of the planks, and thus a firm joint is obtained.

In laying down this moveable railroad, two parallel lines of planks, with rails attached, are laid on the bog, and the proper distance between each is preserved by the insertion of a half-inch square wrought-iron bar crooked or bent at both extremities, into staples attached by spikes to the under surface of each plank.

For the further strength and security of the joining of the planks, *thimbles*

afterwards the surface was covered with lime, in the proportion of 37 barrels, each containing 42 gallons to an acre.

On the surface thus prepared potatoes were planted, and a moderately good crop was produced.

Following the cropping of one portion of the bog, the tillable surface of which, owing to building and plantations, from four acres has been reduced to 2A. 3R. 13P. The second year a portion containing 2A. 0R. 34P. was again planted with potatoes, and the remainder, containing 2R. 19P., with turnips; the potatoe land being manured with 20 barrels of lime to the acre in compost mixed with clay, and the turnip land partly with lime, partly with peat ashes, and partly with stable dung. Owing to the unusual coldness and wetness of the season, the potatoe crop was inferior to what was anticipated; but the turnips were excellent. At present the potatoe land has been laid down and sown with oats, York meadow-grass and white clover, and at this moment, in the beginning of July, the appearance of the crop is very favourable, and it is probable will be as productive as can be expected from reclaimed bog, which usually yields abundance of *straw*, but a small weight of corn as compared to sound upland. A crop of mangel wurzel has been sown on the turnip land of last year; it also looks well; but this portion of the bog, together with other reclaimed fields now under crops of potatoes and turnips, has been dunged from the cowhouse and stable; in the former four cows were stall-fed, during the last winter, on the turnips and a portion of the very small potatoes.

In calculating the amount of the expenditure, in all departments of reclamation and cultivation, from the commencement to the present time, the outlay and return per acre is as follows:—

made of sheet iron, of a triangular form, are attached to one end of each plank, and the end of the next having been cut into the same shape, is inserted into the sheet-iron thimble. The cost of a moveable railroad of the above description is 3s. 3d. per yard, including both sides; and when laid level, a man can with ease push on a waggon containing 18 cwt.

## Flow Bog, No. 1.

*Reclamation.*

|                                                                                                    | £. | s. | d. |
|----------------------------------------------------------------------------------------------------|----|----|----|
| Fencing with double ditches, per acre . . . .                                                      | 0  | 12 | 0  |
| Draining* . . . . .                                                                                | 1  | 17 | 0  |
| Digging up and chopping the surface, &c. . . .                                                     | 1  | 10 | 0  |
| Covering with clay, by means of a moveable rail-<br>road, to the depth of nearly four inches . . . | 5  | 10 | 10 |
| Total cost of reclamation . . . . .                                                                | £9 | 9  | 10 |

*Manure.*

|                                                                       |   |    |   |
|-----------------------------------------------------------------------|---|----|---|
| Lime, 37 barrels, each 42 gallons, at 1s. 6d. per<br>barrel . . . . . | 2 | 15 | 6 |
|-----------------------------------------------------------------------|---|----|---|

*Cultivation.*

|                                                                               |     |    |   |
|-------------------------------------------------------------------------------|-----|----|---|
| First year, cost of seed potatoes, planting and<br>digging per acre . . . . . | 4   | 12 | 4 |
| Second year, ditto . . . . .                                                  | 4   | 2  | 4 |
| Additional lime, 20 barrels . . . . .                                         | 1   | 10 | 0 |
| Third year, seed oats, tilling, sowing, reaping,<br>and threshing . . . . .   | 1   | 18 | 6 |
| Hay seed and clover. . . . .                                                  | 0   | 16 | 0 |
| Fourth year, mow and sow hay . . . . .                                        | 0   | 8  | 0 |
|                                                                               | £25 | 12 | 6 |

*Produce of Return.*

|                                                                             |     |    |   |
|-----------------------------------------------------------------------------|-----|----|---|
| First year, value of potatoe crop, 816 stone, at<br>2½d. per stone. . . . . | 8   | 9  | 2 |
| Second year† . . . . .                                                      | 8   | 5  | 6 |
| Carried forward . . . . .                                                   | £16 | 14 | 8 |

\* The usual cost of draining is about £1. 4s. per acre; but in very wet spongy bogs, the extra labour of opening the drains four and five times adds considerably to the cost.

† The second crop of potatoes is usually much better than the first; but owing to the wetness of the season of the year 1834, in the west of Ireland, the produce of potatoes in the mountains was much below an average crop.

|                                                                                                                                                                             |       |    |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----|----|
|                                                                                                                                                                             | £.    | s. | d. |
| Brought forward . . . .                                                                                                                                                     | 16    | 14 | 8  |
|                                                                                                                                                                             | £.    | s. | d. |
| Third year, expected produce of oat<br>crop, 105 stone, at 9 <i>d.</i> per stone .                                                                                          | 3     | 8  | 9  |
| Value of straw . . . . .                                                                                                                                                    | 1     | 0  | 0  |
|                                                                                                                                                                             | <hr/> |    |    |
|                                                                                                                                                                             | 4     | 8  | 9  |
| Fourth year, expected value of hay crop, two<br>tons York meadow-grass and clover hay, each<br>£1. 10 <i>s.</i> per ton . . . . .                                           | 3     | 0  | 0  |
|                                                                                                                                                                             | <hr/> |    |    |
| Total produce of one acre for four years                                                                                                                                    | 24    | 3  | 5  |
| Total expenditure . . . . .                                                                                                                                                 | 25    | 12 | 6  |
|                                                                                                                                                                             | <hr/> |    |    |
| Portion of outlay not returned at the end of four<br>years, at which time the reclaimed bog laid<br>down in pasture would be worth about 10 <i>s.</i><br>per acre . . . . . | £1    | 9  | 1  |
|                                                                                                                                                                             | <hr/> |    |    |

#### OF THE SECOND CLASS OF BOG.

This variety is naturally very superior to the first; its texture is close and compact, and when burnt it yields a considerable portion of red or yellowish red ashes, while the residuum from burnt flow bog consists of a very small quantity of white ashes of no agricultural value. In reclaiming compact bog, a coat of two inches and a half of clay will be sufficient, while flow bog requires at least a depth of four inches.

The general system pursued in reclaiming compact bog is similar to that adopted for flow bog, but the draining is not so expensive, and the digging and chopping the surface is more easily effected.

#### *Expense of Reclaiming an Average Statute Acre of compact Bog.*

|                                                                                        |    |    |    |
|----------------------------------------------------------------------------------------|----|----|----|
|                                                                                        | £. | s. | d. |
| Fencing in six acre fields, with double ditches,<br>top sown with furze seed . . . . . | 0  | 12 | 0  |

|                                                                                                                                                                    | £. | s. | d. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| Brought forward . . . . .                                                                                                                                          | 0  | 12 | 0  |
| Draining . . . . .                                                                                                                                                 | 1  | 2  | 0  |
| Levelling and digging surface . . . . .                                                                                                                            | 1  | 8  | 0  |
| Covering surface with clayey gravel two inches<br>in depth, the clay being raised from the sur-<br>rounding fences, and from the bottom of the<br>drains . . . . . | 2  | 9  | 0  |
| Making compact heaps with alternate layers of<br>surface sods and lime, including turning and<br>spreading, &c.. . . .                                             | 0  | 12 | 0  |
| Total cost of reclaiming and fencing per acre                                                                                                                      | £6 | 3  | 0  |

*Manure.*

|                                                                                                |    |    |   |
|------------------------------------------------------------------------------------------------|----|----|---|
| 37 barrels of lime, at 1s. 6d. per barrel . . .                                                | 2  | 15 | 6 |
| Amount of expenditure for four years, cultivation<br>same as flow bog, or class No. 1. . . . . | 13 | 7  | 2 |

Total expenditure on reclamation and  
four years' cultivation . . . . . £22 5 8

|                                                                                                                                                                                                                                                                                                                                                                    |    |   |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---|---|
| The produce of each crop raised on reclaimed<br>compact bog will be superior, both in quantity<br>and quality, to that raised from flow bog; but<br>supposing the return of each crop to be the<br>same as that from flow bog, as given above,<br>the amount of the return on four years' crops,<br>two of potatoes, one of oats, one of hay, will<br>be . . . . . | 24 | 3 | 5 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---|---|

|                                                                                                                                                                               |    |    |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|---|
| There will therefore be a profit of, per acre, in<br>four years' cultivation, at which time the land<br>laid down in grass will be worth about 12s. 6d.<br>per acre . . . . . | £1 | 17 | 9 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|---|

## OF THE THIRD CLASS OF BOG.

This class is described as compact bog, of variable depth, and which in its natural state yields coarse mountain pasture for cattle during the summer months. The least expensive and most profitable mode of treating this variety of bog will be to improve the quality of the herbage, and render it capable of producing good meadow and pasture.

This can be effected by fencing, draining, and liming the surface, at the following rate, per statute acre:—

|                                                                                                                                               | £. | s. | d. |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| Cost of fencing in six acre fields . . . . .                                                                                                  | 0  | 12 | 0  |
| Draining, as in the flow bog, but with less,<br>owing to the solidity of the bog . . . . .                                                    | 1  | 4  | 0  |
| Covering the surface with lime, 37 barrels to the<br>acre, at the rate of 1s. 6d. per barrel. . . . .                                         | 2  | 15 | 6  |
| <hr/>                                                                                                                                         |    |    |    |
| Total cost of reclaiming an acre of coarse<br>mountain pasture, so as to render it<br>worth 10s. per acre for meadow and<br>pasture . . . . . | £4 | 11 | 6  |
| <hr/>                                                                                                                                         |    |    |    |

The foregoing details have been extracted from the accounts of the actual expenditure of the different departments of reclamation and cultivation, at the Crown farm of Pobble O'Keeffe; but it is to be observed that the works are conducted with great system and regularity and with strict attention to economy, and unless similar methods be taken in other places, the same results will not be obtained; but it is likewise to be observed that the cost of lime at the Crown lands is considerable, and it is only in the summer months it can be obtained at so cheap a rate as 1s. 6d. per barrel. In favourable situations it may be obtained at 1s. per barrel, and even less. Were this the case, the third class of bog could be fenced, drained, and manured, at the rate of £3. 13s. instead of £4. 11s. 6d. per statute acre.

(Signed) RICHARD GRIFFITH.

*King William's Town, Pobble O'Keeffe,  
July 7, 1835.*

## APPENDIX No. 7.

EXTRACTS from the Evidence of Colonel JOHN F. BURGOYNE.

YOU have been asked with reference to different works in different parts of Ireland; do you mean to select those as public works on which the public money could be most advantageously laid out in Ireland or not; particular individual cases have been drawn to your attention, do you mean to select those as cases out of all other cases in Ireland in which the public money could be most advantageously laid out?—Certainly not. I think the roads through uncultivated districts of most importance.

What is the next in importance?—The next is for great leading lines of navigation like the Shannon, or any great object that would open the resources generally of the country, and are not within the capability of private individuals or of the public bodies of the country.

What is the next?—The general line of canals.

In that answer have you the erection of harbours on the sea-coast in your contemplation?—I think the small fishing-piers have been of great advantage. Those small harbours erected by Mr. Nimmo were exceedingly beneficial to the lower class of people, and in that respect they are deserving of great encouragement.

The general lines of road across the country affording a facility of communication by branch roads by private individuals, would, in your judgment, be a most beneficial application of the public money?—I think so; and I think the building of small harbours is another. I listened with great attention to the detail which Mr. Loch gave of the benefits derived to the Highlands of Scot-

land from the roads carried on in that country ; and I could not help reflecting that every advantage which he stated had accrued to that country would be experienced in a much greater degree in Ireland. In the first place, looking at the general lines of communication throughout the country, the roads in Scotland only led to remote and distant places of little consequence. In Ireland they usually form an improved means of communication between one great town and another. Another circumstance peculiar to Ireland which makes them particularly beneficial, is, that the uncultivated districts are capable of great fertility, more so than in almost any other country, and it only requires the application of the ingredients which may be found in the neighbourhood in all directions to render them very productive : those ingredients are lime, limestone, gravel, sea-weed, marl, and coral sand ; and they are all so dispersed over the country, that any person inclined to think that Providence was interested in such details, would say it was a most beautiful specimen of its workings. The operation of those roads is to introduce those materials, and at the same time to afford an outlet for the produce. There is another peculiar advantage in Ireland in the construction of the roads, that whereas the existence of these uncultivated wastes in Scotland and in other countries may be considered only as a negative loss of so much land ; in Ireland they are a source of positive evil, affording points of refuge for all the disturbers of the peace in the country, and of the persons who either from misery or excitement are inclined to do mischief. By the formation of these roads a resource is given them for the exercise of useful industry, of which I must say they seem very ready to avail themselves. I think on all these considerations the formation of roads through uncultivated districts in Ireland would be more beneficial than in any other country in the world.

What are the principal lines of communication which you think it would be most desirable to make, with reference to the unfolding the resources of the country ?—I cannot specify the particular lines, but the districts generally of Galway, Mayo, and Clare, and I believe parts of Donegal ; Mayo in particular.

Have you taken into consideration the districts adjoining the counties of Kerry, Limerick, and Cork?—All these counties also are very susceptible of improvement in that way.

What sum of money do you conceive it would require to construct those general lines of communication?—I cannot say precisely what sum; but you might expend from £5,000 to £100,000, and the more you expended the more beneficial it would be.

Do you mean to state that £100,000 is the maximum you think necessary in constructing those general lines of communication?—I will not say that; I think you might lay out a great deal more with great advantage to the country.

In what way would the public be benefited?—By a very great increase of revenue from the additional prosperity of the country; a point that seems to be sometimes doubted; but I think it would be clear to any person's mind by putting the converse of the case.—Imagine a country in a tolerable state of prosperity, well-peopled, and to be all of a sudden thrown into a state of rapid decline, the people driven to poverty, and the country laid waste; anybody would consider that to be a very great loss to the revenue and to the country, and probably they would not hesitate to make very large grants to stop such mischief; consequently the benefit derived from the improvements admits of the same argument of gain to the revenue and to the country.

Where would you apply the government money?—In opening very extensive uncultivated districts. I would provide one main thoroughfare of communication at the expense of Government; and for opening less extensive districts I would give the moiety grants as at present; for those occasions they work very well.

Do you include great tracts of bog in your improvable districts?—Yes, bogs and mountain land.

Would it not be right to compel the landlord to contribute?—I think not in the cases of those very extensive districts I referred to; they have no sufficient interest in it; the great benefit derived from opening those lines of roads would be to the lower

classes for many years, and it would be only a distant prospective advantage that the landlord would have in them.

Would not the people themselves be willing to contribute?—The people who would derive the principal benefit have no means of doing so,—the poor people.

There is their labour?—You cannot have people's gratuitous labour who have nothing else to live on,

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## APPENDIX No. 8.

1stly, That in order to remove many vexatious doubts on the laws as they at present exist, every Act in any way relating to the sea fisheries of Ireland be totally repealed, and that all provisions deemed necessary be embodied in one statute.

2ndly, That the chief superintendence and control of all matters connected with the fisheries be vested in some public department, which shall make an annual Report of its proceedings, to be laid before Parliament.

3dly, That the jurisdiction of the local magistracy in maritime counties be extended to offences committed by fishermen at sea ; and that it be made the duty of the coast-guard as a marine police, to aid the magistracy and the superintending authority, so as without much increased expense, to enforce the law, and carry into effect such regulations as the latter body may from time to time adopt.

4thly, That agreeably to the enactments of the 48th Geo. III. cap. 110, sec. 8, of the 55th Geo. III. cap. 94, and of the 59th Geo. III. cap. 109, sec. 51, a Government vessel be furnished at the requisition of the superintending body, at such times and places as may be deemed necessary for the protection and assistance of the fisheries ; and that a competent authority for the preservation of the peace accompany such vessels.

5thly, That the superintending body be empowered to institute, or, on requisition after public notice, from persons interested in the fisheries of any particular district, to adopt and confirm any local regulations which they shall consider as decidedly salutary, either for the due conduct of the fishermen, for the preservation of the peace, or for the protection of the fisheries.

6thly, That such further pecuniary aid be given for the construction and maintenance of any piers, harbours, and other

public accommodations as may be deemed requisite to the service of the fisheries ; that provision be made for the repair and maintenance of all those which have been provided entirely or partly at the public expense, and may be thought worthy of being preserved ; that they shall be declared public property ; and that power be given to frame and enforce such rules and regulations as may seem desirable, in order to render them as generally useful and available as possible.

7thly, That the balance which shall remain to the credit of the Irish fisheries, after defraying the charges to which it is now liable, be applied under the authority of the Lords of the Treasury, in the completion and repairs of such of the existing fishery piers, as may be considered deserving of attention, and in promoting improvements generally in the fisheries.

8thly, That section 85 of the 1st and 2d Wm. IV. cap. 33, be so modified, that the funds placed by that Act at the disposal of the Board of Works, be rendered not only available to the construction of any pier, shelter-harbour, boat-slip, or capstan, but to the providing of moorings and small harbour lights for the fisheries, to the extent of one moiety of the expense ; the other moiety to be raised by voluntary contribution of proprietors, fishermen, curers, or others, or by public assessment ; that the existing condition, which requires security to the Crown for future repairs, be removed ; and that it shall be competent to the Board, at discretion, to admit as a substitute for money contribution, an equivalent value in materials, or in work applied conformably to a previously approved plan.

9thly, That it shall be competent to cess-payers, rated at above annually, in any county, barony, half-barony, or townland, to assess the locality in such sum as may be necessary for making up a moiety of the expense of the works specified in the preceding proposition, or of any portion thereof ; the assessment to be distributed over a number of years, proportionately to the amount.

10thly, That power be given to establish moderate tolls, to defray the necessary expenses of maintenance of each pier or

harbour erected for fishery purposes, either in whole, or in part with public money; and if the amounts arising from such tolls shall exceed the sums required for the permanent repair of the works, that such excess be allowed to accumulate to the credit of the work, as a provision for those sudden and extraordinary casualties to which such works are liable, and for the further improvement of the harbour.

11thly, That it be competent to the Board of Works, at discretion, to make short lines of communication between such piers, fishing-harbours, or stations, (as have wholly, or in part, been erected, or shall be erected by public funds), and the nearest high roads; a moiety of the amount so expended to be levied on the barony by annual instalments, or provided by voluntary contribution.

12thly, That in cases where loan funds, under the management of local associations, shall be established, to assist fishermen in procuring, repairing, or fitting out boats intended for the prosecution of the fisheries, a moiety of these funds shall be supplied out of the public money, (to be sufficiently secured in the repayment by the associators requiring that aid), that the same legal privileges and indulgences be extended to such associations as are given to charitable societies, under the "Charitable Loan Acts;" and that the proceedings and accounts of these associations shall be at all times subject to the scrutiny of the controlling body, under whose management the general interests of the fisheries may be placed.

13thly, That such local loan funds be encouraged in each of the maritime counties to assist fishermen.

14thly, That loans, not exceeding a moiety of the expense, be made by the Board of Works, on the most favourable terms, to parties desirous of erecting curing-houses, fishery-yards, salt-stores, or fishermen's houses, under proper security for their accomplishment, according to plans previously approved; provided the expense in any case shall not be less than £200.

15thly, That tenants in tail and bodies corporate be empowered, notwithstanding settlements or incumbrances, to make

leases in perpetuity, at the full improved value, of any portions of land required for fishery purposes, adjacent to the shores of Ireland; such leases to be valid, provided a sum equal to five years' rent be expended in good and substantial buildings on the land, within seven years.

16thly, That the section of the statute of Charles the First, securing to the public a right to the use of the strands and wastes on the shores of Ireland for fishery purposes, and conferring a complete freedom of fishing on all British subjects, be clearly established by a further enactment.—See 10th Charles I., cap. 24, Irish Statutes.

17thly, That a practical education in the manufacture of nets, and in other fishery avocations, be adopted in the national schools of the maritime districts of Ireland.

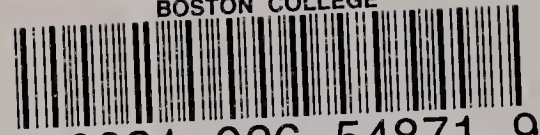


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